

1 DEPARTMENT OF THE INTERIOR  
2 MINERALS MANAGEMENT SERVICE  
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5 OFFICIAL TRANSCRIPT  
6 PUBLIC HEARING TELECONFERENCE  
7 COOK INLET SALE 149  
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10  
11 Minerals Management Service  
12 6th Floor Conference Room  
13 949 East 36th Avenue  
14 Anchorage, Alaska 99503

15 Friday, March 3, 1995  
16 11:00 o'clock a.m.  
17  
18

19 MMS PANEL MEMBERS

20 Ms. Judith Gottlieb  
21 Regional Director, Alaska Region of MMS  
22 Mr. Barry Boudreau  
23 Regional Supervisor for Field Operations  
24 Dr. Ray Emerson  
25 DEIS Project Leader, Leasing and Environment Office

Proceedings recorded by electronic sound recording. Transcript  
produced by transcription service.

ANCHORAGE, ALASKA - FRIDAY, MARCH 3, 1995

(On record at 11:00 a.m.)

RECEPTIONIST: Port Graham Village Council.

MR. NUTTALL: Good morning. This is the Minerals Management Service, and we're setting up a teleconference for the Sale 149 public hearings.

RECEPTIONIST: Okay. Hold on just a minute. You're setting up now?

MR. NUTTALL: Yes, we are.

RECEPTIONIST: Okay. Hold on.

(Pause - Whispered conversations)

RECEPTIONIST: Hello?

MR. NUTTALL: Hello.

RECEPTIONIST: Hello.

MR. NUTTALL: Yes.

RECEPTIONIST: There's no one here available for the teleconference.

MR. TREMONT: This is John Tremont. I think we've spoken before. Did Ms. McMullen designate somebody to speak for the village?

RECEPTIONIST: No, she didn't. I just talked to my supervisor. She said no one's available for it.

MR. TREMONT: Okay. Very good then. Please be advised that you can submit written comments.

1 RECEPTIONIST: Okay. Thank you.

2 MR. NUTTALL: Thank you very much.

3 (Teleconference disconnected)

4 MR. NUTTALL: Well, now on to Seldovia.

5 (Pause - Whispered conversation)

6 RECEPTIONIST: Good morning. City of Seldovia. This  
7 is Diane.

8 MR. NUTTALL: Good morning. This is the Minerals  
9 Management Service, and we're setting up a teleconference for  
10 the Sale 149 public hearings.

11 RECEPTIONIST: Right.

12 MR. NUTTALL: Is Ms. Elizabeth Renz in, please?

13 RECEPTIONIST: Hang on for just a moment, okay?

14 (Pause - Whispered conversation)

15 RECEPTIONIST: Just a moment, okay?

16 MR. NUTTALL: Thank you very much.

17 RECEPTIONIST: Yes.

18 MR. NUTTALL: This is Minerals Management Service.

19 MS. RENZ: Right. This is Elizabeth Renz, City  
20 Manager, City of Seldovia, and I have a Council member here,  
21 Eric Nordenson. And so there are just the two of us here.

22 MR. NUTTALL: Okay. Are we coming in loud and clear  
23 to you?

24 MS. RENZ: Beautifully. And who are you?

25 MR. NUTTALL: My name is Chris Nuttall. I'm handling

1 the phones. And I'd like to introduce our Regional Director,  
2 Ms. Judith Gottlieb.

3 MS. RENZ: Okay.

4 MS. GOTTLIEB: Good morning. This is Judy Gottlieb,  
5 and I just wanted to -- I'll open up the public testimony. So  
6 if you'll bear with me for just a few minutes, I need to -- I  
7 would like to read some things into the record. And if you  
8 have any questions, then, on the testimony, please feel free to  
9 ask.

10 Are you hearing me okay?

11 MS. RENZ: Perfectly.

12 MS. GOTTLIEB: Okay. Great. Thanks, Liz.

13 Good morning. Welcome to the hearing on the Draft  
14 Environmental Impact Statement for the Proposed Federal Oil and  
15 Gas Lease Sale 149 in Cook Inlet.

16 My name is Judy Gottlieb. I'm the Regional Director  
17 of the Alaska Region of the Minerals Management Service. The  
18 other panel members that I have here are Mr. Barry Boudreau,  
19 who is the Regional Supervisor for Field Operations in  
20 Anchorage, and Dr. Ray Emerson, the Project Leader for the  
21 Draft Environmental Impact Statement preparation from the  
22 Leasing and Environment Office.

23 You have the honor of being the first public hearing  
24 participants, and we will have one later today in Anchorage and  
25 then, as you probably know, others next week in Kenai, Homer,



1 and Kodiak. Port Graham we called earlier today, and they did  
2 not have any testifiers. And Nanwalek said they would not have  
3 any, so we did not call them this morning.

4 The purpose of this hearing is to receive the views,  
5 comments, and suggestions of interested individuals and  
6 representatives of local government and organizations on the  
7 Draft Environmental Impact Statement. Want to give you just a  
8 little background material.

9 This Draft Environmental Impact Statement covers  
10 approximately 2 million acres which are being considered for  
11 leasing, or about 37 percent of the entire planning area.

12 We have the responsibility to fulfill the mandates  
13 set out in the Outer Continental Shelf Lands Act and the Oil  
14 Pollution Act. Also, oil and gas activities on the Outer  
15 Continental Shelf must comply with the National Environmental  
16 Policy Act, the Endangered Species Act, Marine Mammals  
17 Protection Act, Clean Water Act, Clean Air, Occupational Health  
18 and Safety Act, the Coastal Zone Management Act, and many  
19 others. In addition, the Minerals Management Service has in  
20 place regulations and operating requirements that are designed  
21 to make offshore operations safe and clean.

22 Discharges from the Outer Continental Shelf oil and  
23 gas exploration and production activities will be subject to  
24 the Environmental Protection Agency's national pollution  
25 discharge elimination system permits. Under a local memorandum

1 of agreement between the Minerals Management Service and the  
2 EPA on federal platforms, we have agreed to conduct these  
3 permit compliance inspections of Outer Continental Shelf  
4 facilities in conjunction with normal drilling and production  
5 inspections.

6 Under this agreement, the Minerals Management Service  
7 may also collect samples of discharges and provide them to EPA  
8 for independent analyses. In federal waters, the Minerals  
9 Management Service has been conducting these kind of permit  
10 compliance inspections in Alaska since 1989, specifically  
11 during exploratory drilling operations in the Chuckchi and  
12 Beaufort Seas. We are aware that the EPA recently fined  
13 companies in the upper Cook Inlet for violation of permit  
14 conditions related to discharges that exceed permit limits,  
15 mostly for sanitary and domestic wastes, but also for oil and  
16 grease discharges.

17 We recently completed a water quality study in Cook  
18 Inlet which examined hydrocarbon concentrations in water,  
19 sediments, and mussels at the regional scale and found no  
20 evidence of regional hydrocarbon contamination. The MMS study  
21 did not look for contaminants related to sanitary and domestic  
22 wastes. However, the study did perform sensitive life stage  
23 bioassays which indicated no harmful levels of contaminants in  
24 general. These study results are included in the Draft  
25 Environmental Impact Statement.

1           The EIS represents about three years of preparation,  
2           which included such actions as the call for information, area  
3           identification, and scoping. You have been a part of this  
4           process, and through your earlier comments, and are invited  
5           once again to give us your comments. The Environmental Impact  
6           Statement is a very important element in the decision process.  
7           The law under which we operate requires that the Secretary of  
8           Interior balance national public policy goals. The law  
9           requires considerable consultation with the Governor, balancing  
10          national needs with the well-being of local citizens.

11          We want everyone here to understand that MMS does not  
12          take this proposal lightly and that we approach all leasing  
13          decisions very cautiously and carefully. For example, as a  
14          result of public input directly from you and others, we have  
15          deleted a majority of the Shelikof Strait portion of the  
16          planning area, which included 358 blocks and approximately 1.7  
17          million acres, from our original proposal.

18          The Draft Environmental Impact Statement contains  
19          mitigating measures that have, for the first time, been  
20          committed to and made part of the proposed action and the  
21          alternatives at this very early phase of the decision process,  
22          which was a suggestion made at previous public hearings here in  
23          Alaska. There are also additional potential mitigating  
24          measures proposed for analysis and that a Secretarial decision  
25          to include those additional mitigating measures will be made

1 upon approval of the notice of sale.

2 Just a few rules to go over. If you would state your  
3 name, address, organization or agency you represent. We'd like  
4 to have the information properly recorded, so I may ask you to  
5 spell it out. And if your comments could be no more than about  
6 10 minutes, we'd appreciate that.

7 An official recorder is here to make the verbatim  
8 transcript of the hearing. Everything that is spoken when the  
9 hearing is in session will be recorded. Copies of the  
10 transcripts are available through Cindy and Robert Carl, who  
11 are here right now, our recorders of Executary Court Reporting  
12 Services.

13 The purpose of this hearing is to improve the quality  
14 of our Environmental Impact Statement before it is put in final  
15 form. We won't necessarily question you unless a member of the  
16 panel wishes to have some facts clarified or obtain additional  
17 information. We are understanding -- we are interested in  
18 understanding your views about this Draft Environmental Impact  
19 Statement.

20 Also, for your information, the comment period for  
21 this document closes April 19th. Until that time, we will  
22 accept written comments and statements from anyone who would  
23 prefer to make written rather than the oral comments. And  
24 these written comments and statements should be sent to our  
25 address. If you have any information, we have an 800 number,

1 800-764-2627, if you have any questions or need anything  
2 clarified after we conclude.

3 I also need to mention, for the benefit of the member  
4 of the public who is here this morning, that because we share  
5 this building with the Internal Revenue Service, and because  
6 they are having a problem with an irate taxpayer today, we do  
7 have several guards in the building. So just to clarify why  
8 there are guards outside our hearing room.

9 So with that, Liz, did you want to testify first?

10 MS. RENZ: Sure. I'd be glad to.

11 MS. RENZ: My name is Elizabeth Renz, R-e-n-z, City  
12 Manager for the City of Seldovia.

13 MS. GOTTLIEB: Thanks, and go ahead then.

14 **PUBLIC TESTIMONY OF MS. ELIZABETH RENZ**

15 In reference, the DEIS, I think it's an extraordinary  
16 piece of work. A lot of care and thought have gone into that  
17 document, and they have really worked diligently to make that  
18 into language which is comprehensible by people who are really  
19 interested in reading about the topic.

20 One thing in particular that has surfaced in this  
21 area is a lot of concern about the fact that activity in the  
22 Cook Inlet Region really directly impacts us, and there is some  
23 concern there about the tradeoff in benefits versus risks in  
24 terms of there do not seem to be an apparent equal amount of  
25 benefits to our area for drilling in Cook Inlet, and the risk

1 seems to be very high. That seems to be consensus of most of  
2 the people that I've talked to.

3 As far as specific individuals, we only have Eric  
4 Nordenson here that wishes to respond. But generally, the  
5 comments that have been made to me have been they would prefer  
6 not to see drilling in the Cook Inlet Region because it would  
7 put us at great risk and does not appear to have any direct  
8 benefit to our community.

9 MS. GOTTLIEB: Okay. Thank you. Appreciate those  
10 comments. Anyone have any questions?

11 (No audible response)

12 MS. GOTTLIEB: Thanks, Elizabeth. And we have  
13 another person to testify?

14 MR. NORDENSON: Yes, I'm Eric Nordenson. It's N-o-r-  
15 d-e-n-s-o-n, Seldovia, Alaska. I'm a resident and a current  
16 City Council member. I have just a little statement that I sat  
17 down and wrote about this, so I'd like to go ahead and read it  
18 if that's all right.

19 MS. GOTTLIEB: Sure. That would be fine.

20 **PUBLIC TESTIMONY OF MR. ERIC NORDENSON**

21 Okay. It starts out, I am a lifelong resident of  
22 Seldovia. I was raised here as a commercial fisherman and  
23 still am doing so. The Kenai Peninsula has grown immensely  
24 since the '50s when I was a kid. Commercial fishing year  
25 around is a major contributor to the economy of the lower Cook

1 Inlet villages and cities.

2 Tourism has become a large commercial and economic  
3 factor from Anchorage to Kodiak recently, and this part of  
4 Alaska will be right at the top in the future, if it's not  
5 already. Myself and many in Seldovia oppose the sale of 149,  
6 considering the risk factors stated in the Environmental Impact  
7 Statement. Any size spill is not acceptable at all, as far as  
8 we're concerned. Tanker traffic in Cook Inlet is high now.  
9 Enlarging this traffic if oil and gas is found and produced  
10 further raises the odds for a spill.

11 Lower Cook Inlet should be left alone for oil and gas  
12 production. I think that a less delicate area should be found  
13 and explored.

14 And that's my feeling. I was born here in Seldovia,  
15 and there's still quite a few of us left around here that are  
16 lifelong residents, too, and we all pretty much feel the same.  
17 So that's really about all I have to say.

18 MS. GOTTLIEB: We appreciate that, Eric, and that's  
19 very thoughtful comments. That does have a higher impact from  
20 someone who has lived in a place all their lives.

21 MR. NORDENSON: Thank you.

22 MS. GOTTLIEB: Will there be anyone else who wishes  
23 to speak from Seldovia?

24 MS. RENZ: No, that's it for today.

25 MS. GOTTLIEB: Okay. Well, we certainly appreciate

1 your participation. And again, everyone has till April 19th to  
2 submit written comments, and we appreciate that you were able  
3 to make it today.

4 MS. RENZ: Okay. Thank you for including us.

5 MS. GOTTLIEB: Sure.

6 MR. NORDENSON: This is Eric. I had one more thing  
7 to say.

8 MS. GOTTLIEB: Okay.

9 **FURTHER PUBLIC TESTIMONY OF MR. ERIC NORDENSON**

10 Seldovia's always been kind of a place where you  
11 can't get people -- they'll talk a lot, but when it comes to  
12 doing something like this, it's hard to get them to come forth.  
13 So Elizabeth and I both are kind of -- we're kind of relating  
14 just about the majority opinion around here, and I'm stating  
15 that quite factually, being on the City Council, especially.

16 MS. GOTTLIEB: That's right, and that's helpful for  
17 us to know, too.

18 MS. RENZ: Thank you very much.

19 MS. GOTTLIEB: Okay. Thank you both.

20 MS. RENZ: Bye.

21 MS. GOTTLIEB: Bye.

22 (Pause - Teleconference disconnected)

23 MR. NUTTALL: Okay.

24 COURT REPORTER: Off record?

25 MS. GOTTLIEB: Off record then, yes.



1 (Whereupon, the proceedings in the above-entitled  
2 matter were concluded at 11:20 o'clock a.m.)  
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C E R T I F I C A T I O N

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )  
\_\_\_\_\_ )

I, **CINDY S. CARL**, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

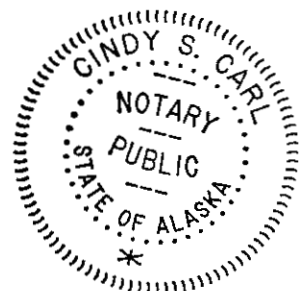
(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl  
Cindy S. Carl  
Certified Court Reporter

DATE: 3/20/95



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2 MINERALS MANAGEMENT SERVICE  
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15 Friday, March 3, 1995  
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25 DEIS Project Leader, Leasing and Environment Office

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ANCHORAGE, ALASKA - FRIDAY, MARCH 3, 1995

(On record at 2:05 p.m.)

(Tape No. 1 of 2)

MS. GOTTLIEB: Welcome to the hearing on the Draft Environmental Impact Statement for the Proposed Federal Oil and Gas Lease Sale 149 in Cook Inlet. The area that's discussed in the Environmental Impact Statement is shown on the map behind me.

My name is Judy Gottlieb. I'm the Regional Director for the Alaska Outer Continental Shelf Region. Other panel members with me include Mr. Barry Boudreau, who's the Regional Supervisor for Field Operations, and Dr. Ray Emerson, who's the Project Leader for the Draft Environmental Impact Statement in the Leasing and Environment Office.

This is our first public hearing; others will be held next week in Kenai, Homer, and Kodiak. And this morning we did have a teleconference with a couple of people in Seldovia.

The purpose of the hearing is to receive the views, comments, and suggestions of interested individuals and representatives of local government and other organizations on the Draft Environmental Impact Statement. But before we start, I'd just like to give you a little bit of background.

This Draft Environmental Impact Statement -- and we do have extra copies there if you'd like -- covers approxi-

1       mately 2 million acres which are being considered for leasing,  
2       or about 37 percent of the entire planning area.

3               Minerals Management Service has the responsibility to  
4       fulfill mandates set out in the Outer Continental Shelf Lands  
5       Act and the Oil Pollution Act. Also, oil and gas activities on  
6       the Outer Continental Shelf must comply with the National  
7       Environmental Policy Act, Endangered Species Act, Marine  
8       Mammals Protection Act, the Clean Air Act, Clean Water Act,  
9       Occupational Health and Safety Act, Coastal Zone Management  
10      Act, and many others. In addition, the Minerals Management  
11      Service has in place regulations and operating regulations that  
12      are designed to make offshore operations safe and clean.

13              Discharges from Outer Continental Shelf oil and gas  
14      exploration and production activities will be subject to the  
15      Environmental Protection Agency's national pollution discharge  
16      elimination system permits. Under a local memorandum of agree-  
17      ment between the MMS and EPA on federal platforms, the MMS has  
18      agreed to conduct these permit compliance inspections of Outer  
19      Continental Shelf facilities in conjunction with normal drill-  
20      ing and production inspections.

21              Under the agreement, we may also collect samples of  
22      the discharges and provide them to EPA for independent  
23      analyses. In federal waters, the MMS has been conducting these  
24      kind of permit compliance inspections in Alaska since 1989,  
25      specifically during the exploratory drilling operations in the

1 Chuckchi and Beaufort Seas. We are aware that EPA recently  
2 fined companies in the upper Cook Inlet for violations of the  
3 permit conditions related to the discharges that exceeded the  
4 permit limits, mostly for sanitary and domestic waste, but also  
5 for oil and grass -- sorry -- oil and grease discharges.

6 The MMS recently completed a water quality study in  
7 Cook Inlet which examined hydrocarbon concentrations in water,  
8 sediments, and in mussels at the regional scale and found no  
9 evidence of hydrocarbon contamination. The MMS study did not  
10 look for contaminants relating to sanitary and domestic wastes.  
11 However, the study did perform sensitive life stage bioassays  
12 which indicated no harmful levels of contaminants in general.  
13 These study results are discussed in the Draft Environmental  
14 Impact Statement.

15 The Environmental Impact Statement represents approx-  
16 imately three years of preparation, which included such actions  
17 as the call for information, area identification, and scoping.  
18 You have been a part of this process, and through your earlier  
19 comments, as well as being invited once again today to give us  
20 your comments. The Environmental Impact Statement is a very  
21 important element in the decision process. The law under which  
22 we operate requires that the Secretary of Interior balance  
23 national public policy goals. The law requires considerable  
24 consultation with the Governor, balancing national needs with  
25 the well-being of local citizens.

1           We want everyone here to understand that MMS does not  
2 take this proposal lightly and that we approach all leasing  
3 decisions very cautiously and carefully. For example, as a  
4 result of public input directly from you, the MMS deleted a  
5 majority of the Shelikof Strait portion of the planning area,  
6 which included about 358 blocks and approximately 1.7 million  
7 acres, from our original leasing proposal.

8           Also, the Draft Environmental Impact Statement  
9 contains mitigating measures that have, for the first time,  
10 been committed to and made part of the proposed action and the  
11 alternatives at this early phase of the process. This was a  
12 decision that was made at previous public hearings here in  
13 Alaska. There are also additional potential mitigating  
14 measures proposed for analysis that a Secretarial decision to  
15 include those additional mitigating measures will be made upon  
16 approval of a notice of sale.

17           I'll call today's speakers in the order in which  
18 they've registered, and if you wish to speak but have not  
19 already signed up, please see Dick Roberts, who's sitting over  
20 there by the door. We have just a few rules I'd like to ask  
21 you to follow to ensure that the hearing runs smoothly.

22           If you'd please state your name and address, the  
23 organization or agency you represent. I may ask you to spell  
24 your name out so we make sure the court reporter gets it accu-  
25 rately. If comments could be no more than about 10 minutes, we



1 would appreciate that as well. If you have prepared written  
2 testimonies, please give us a copy for the court reporter for  
3 the official record.

4 Our recorders are making a verbatim transcript of the  
5 hearing. Everything that is spoken when the hearing is in  
6 session will be recorded. Copies of the transcript are avail-  
7 able through Cindy and Robert Carl, who are here today, through  
8 Executary Court Reporting Services.

9 The purpose of this hearing is to improve the quality  
10 of the Environmental Impact Statement before it's put in final  
11 form. Speakers will not necessarily be questioned unless a  
12 member of the panel wishes to have some facts clarified or  
13 obtain additional information. We're interested in understand-  
14 ing your views on the Environmental Impact Statement.

15 The comment period for the document closes on April  
16 19th. Until that time, we will accept written comments and  
17 statements from anyone who would prefer to make written rather  
18 than oral comments. And those written comments and statements  
19 should be sent to us, and Mr. Dick Roberts will provide infor-  
20 mation to you if you have any questions on our address. Again,  
21 the comment period is April 19th.

22 For those of you who are visiting our building today,  
23 you may have seen a few security guards around. IRS, late  
24 yesterday, received word that they have an irate taxpayer, and  
25 they ordered the guards for our own -- for all of our safety

1 today.

2 Our first speaker this afternoon, then, is Pam  
3 Miller. If you'd come up to the microphone, please.

4 (Pause)

5 **PUBLIC TESTIMONY OF MS. PAM MILLER**

6 Thank you for the opportunity to testify. My name is  
7 Pam Miller, and I'm representing Greenpeace Alaska here today.  
8 The address is Post Office Box 104432, Anchorage, Alaska 99510.

9 First of all, I want to start out with a quote from a  
10 poet, Muriel Rukyser (ph) from, "The Life of Poetry."

11 "Dead power is everywhere among us,  
12 in the forest chopping down the songs,  
13 at night in the industrial landscape,  
14 wasting and stiffening the new life,  
15 in the streets of the city throwing away the day.  
16 We wanted something different for our people,  
17 not to find ourselves an old reactionary republic  
18 full of ghost fears,  
19 the fears of death and the fears of birth.  
20 We want something else."

21 As I said, I'm here representing Greenpeace and our  
22 approximately 6,000 members in Alaska and about 1.7 million  
23 supporters nationwide.

24 First of all, I feel that you've greatly underesti-  
25 mated the resistance to your proposed action. The Draft Envi-

1       ronmental Impact Statement states, in general, that public  
2       responses were somewhat negative, and I believe this is an  
3       understatement. Opposition is strong and reasonable in the  
4       face of known threats to subsistence, commercial fishing,  
5       recreation, and tourism, the way of life that sustains the  
6       communities that will be most directly affected by your  
7       decisions.

8               These are the groups that have expressed written  
9       opposition thus far to the sale: in the form of resolutions by  
10      the Ninilchik Traditional Council; the D'Naina Traditional  
11      Council; the Chugachmuit Environmental Protection Consortium,  
12      which represents the villages of Port Graham, Nanwalek, Chenega  
13      Bay, and Tatitlek; and then Chickaloon Village United Fishermen  
14      of Alaska; and virtual opposition as expressed in scoping  
15      meetings from people of the other communities that would be  
16      most directly affected and other fishing and environmental  
17      organizations representing thousands of members.

18             I urge you to treat this opposition with the respect  
19      it deserves by deleting Lease Sale 149.

20             MMS decisions about whether to proceed with leasing  
21      and development are inconsistent, unqualified, and biased  
22      toward development. I ask the following questions not rhe-  
23      torically but with real questions about why decisions have been  
24      so seemingly arbitrary:

25             How do you justify canceling the lease sale in the

1 Chuckchi Sea and not that of lower Cook Inlet and Shelikof  
2 Strait? It is not demonstrably less ecologically sensitive.  
3 The subsistence cultures along the coast here are no less  
4 dependent upon a healthy marine ecosystem. It is arguably more  
5 important for commercial fishing if value can be measured in  
6 dollars. And as you know, lower Cook Inlet and Shelikof Strait  
7 supports a commercial fishing industry worth hundreds of mil-  
8 lions of dollars per year.

9 Why is there a moratorium on leasing and development  
10 in -- excuse me -- on development of leases in Bristol Bay? If  
11 leasing were to commence in Cook Inlet and Shelikof Strait, is  
12 the pressure for the dreaded buy-back likely to be any less  
13 than in Bristol Bay? We saw historically that the pressure for  
14 a buy-back in Kachemak Bay was highly effective, and this area  
15 is not so far removed from that.

16 Why is there a moratorium in most areas of the  
17 country, in large part as a result of the National Academy of  
18 Science's determination of the inadequacy of information  
19 necessary to make sound leasing decisions? Our scientific  
20 understanding in all areas reviewed by NAS -- physical oceano-  
21 graphy, ecology, and socioeconomics -- is qualitatively meager  
22 for Cook Inlet and Shelikof Strait compared with the areas  
23 reviewed explicitly by the National Academy. No such review  
24 was done for Cook Inlet/Shelikof Strait, nor has a comprehen-  
25 sive assessment been made to understand the chronic and

1 cumulative effects of development here.

2 I did not find answers for these questions in the  
3 Draft Environmental Impact Statement and request that your  
4 agency consider these questions in the final EIS.

5 Here are some of the reasons that we believe that the  
6 lower Cook Inlet/Shelikof Strait has a higher and better  
7 purpose than offshore oil and gas development:

8 Leasing and development in the area that still  
9 suffers the long-term and chronic effects of the Exxon Valdez  
10 oil spill is counter to and inconsistent with the restoration  
11 mandate of the EVOS Trustee Council. Hundreds of millions of  
12 dollars have been spent on scientific research, land acquisi-  
13 tion, and other activities in an effort to restore damages from  
14 the Exxon Valdez oil spill.

15 You have trivialized the long-term damage caused by  
16 EVOS to ecological systems and human communities of the spill-  
17 affected areas. Some of the important points that I think are  
18 missed in the DEIS:

19 First of all, recovery is patchy and incomplete.  
20 While some species have shown evidence of recovery, others are  
21 experiencing ongoing injuries and delayed recovery.

22 Secondly, long-term effects occur most visibly in the  
23 intertidal zone and in species that either breed or feed in the  
24 intertidal and shallow subtidal zone. Oil-contaminated mussels  
25 continue to be a primary cause of long-term effects. Several

1 species experiencing long-term effects depend on mussels for a  
2 significant portion of their diet. And because of ongoing  
3 long-term effects, the time period for recovery is yet unknown.

4 The extreme trauma caused by the Exxon Valdez oil  
5 spill to subsistence and commercial fishing based communities  
6 in the path of the spill has not yet been mended. The root  
7 cause of these problems was the breakdown of activities associ-  
8 ated with subsistence and commercial fishing: the sharing and  
9 harvest of natural resources.

10 The Draft Environmental Impact Statement also fails  
11 to address the issue of environmental justice as mandated by  
12 the President's Executive Order No. 12898 on federal actions to  
13 address environmental justice in minority populations and low-  
14 income populations. The proposed action is counter to even  
15 Department of Interior's own stated Strategic Implementation  
16 Plan on environmental justice. This action disproportionately  
17 affects subsistence communities in the region. The public  
18 process outlined in the Plan has failed to adequately ensure  
19 protection of subsistence.

20 The DEIS states,

21 "Generally, the coast in the proposed sale area  
22 and the marine environment offshore contain some  
23 of the most beautiful shore and ocean features  
24 in the world. The aesthetics are based on the  
25 near pristine environment."

1 And secondly, again quoting,

2 "Lower Cook Inlet and the Kenai Shelf are among  
3 the most productive high-latitude shelf areas in  
4 the world during the summer months."

5 Unquote. The high ecological values of the area are, in part,  
6 reflected by the unsurpassed system of protected areas in the  
7 region. These areas are too precious for their ecological,  
8 cultural, spiritual, and economic values to risk for short-term  
9 profits of offshore oil and gas development.

10 The area encompasses or borders five national wild-  
11 life refuges, four national parks, and the state's highest  
12 concentration of designated critical habitat areas. And I  
13 believe that the DEIS discussion of the importance and value of  
14 these areas was incomplete. For example, Chugach State Park  
15 was omitted entirely from the discussion. The most recent  
16 recognition of Kachemak Bay as an international shore bird  
17 reserve is significant and also not included in the Draft EIS.

18 Then I wonder why MMS does not respect the recommen-  
19 dations of its own sister agencies, for example, Fish and  
20 Wildlife Service and National Park Service, in considering the  
21 proposed action. The National Park Service has said,

22 "OCS activities could be counter-productive to  
23 efforts initiated by federal/state natural  
24 resource trustees to restore resources injured  
25 by the Exxon Valdez oil spill. We recommend

1           that any leasing in lower Cook Inlet and  
2           Shelikof Strait be deferred until the full  
3           extent of injury to trust resources, including  
4           those of the National Park Service, is known and  
5           the damaged resources have recovered to appropriate  
6           pre-spill conditions."

7       We believe that has not yet occurred. And as I mentioned  
8       earlier, recovery -- the length of time for recovery necessary  
9       is unknown.

10           The designation of Shelikof Strait as critical habitat  
11          under the Endangered Species Act for steller sea lions,  
12          which are about to rise to the dubious distinction of endangered  
13          status in this area, is another consideration I think  
14          minimized in the DEIS. The DEIS minimizes the threat of disturbance  
15          to this species that is also highlighted by the  
16          steller sea lion recovery team. The area serves as critical  
17          habitat for other species at risk: harbor seals, belugas,  
18          steller eider, marbled miralets, fin and humpback whales, to  
19          name a few. The importance of the area to year-around use by  
20          fin whales, documented by Kenai National Wildlife Refuges, is  
21          not discussed in the DEIS.

22           The DEIS does also not reflect the lack of basic  
23          knowledge concerning distribution and dynamics of key ecological  
24          species and habitats. The extent and importance of sea  
25          bird foraging areas is insufficiently treated.



1 MS. MILLER: Are you keeping time here? How much  
2 time do I have?

3 MS. GOTTLIEB: You're doing okay.

4 MS. MILLER: Okay. All right. I have just a little  
5 bit more.

6 BY MS. MILLER (Resuming):

7 MMS is bowing to the temptation to treat lower Cook  
8 Inlet and Shelikof Strait as a sacrifice area based on the fact  
9 that it -- existing infrastructure exists, even though this is  
10 widely separated from this frontier area of lower Cook Inlet  
11 and Shelikof Strait. We request that you do not grant access  
12 to the oil and gas industry to this area, if solely because of  
13 the industry's contemptible history in upper Cook Inlet and the  
14 lack of an adequate regulatory structure to ensure safety and  
15 environmental protection.

16 The DEIS lacks a cogent analysis of the poor regula-  
17 tory structure as well as fates and effects of waste streams  
18 currently affecting Cook Inlet and Shelikof Strait. And I'll  
19 just give some brief examples, and we'll list these exhaus-  
20 tively in our written comments.

21 Recent discovery of 4,200 violations of Clean Water  
22 Act permits and subsequent \$1.5 million enforcement action by  
23 EPA, which was made only after the violations were made public  
24 by Trustees for Alaska, Greenpeace, and Alaska Center for the  
25 Environment. We believe the enforcement action is weak because

1 it addresses less than one-quarter of the violations that we  
2 know about, and it also does not seek maximum penalties.

3 There's a lax permit structure allowing industry the  
4 license to pollute. From '87 to 1992, offshore oil platforms  
5 in Cook Inlet discharged 7-1/2 million gallons of produced  
6 waters, three -- 31.5 million gallons of drilling wastes, these  
7 containing acute toxins such as petroleum, mercury, cadmium,  
8 formaldehyde. There's lax regulatory oversight of pipelines  
9 and tanker safety in Cook Inlet. The industry has resisted  
10 efforts to instill better safety measures such as tanker tug  
11 escorts.

12 And there's a high level of risk from seismic acti-  
13 vity. The DEIS states that it is situated in one of the most  
14 active seismic zones in the world. In addition to that, sea  
15 ice conditions and hazards from extraordinary wind occurrence  
16 make Cook Inlet one of the most dangerous places to operate oil  
17 tankers in the world.

18 There is a lack of effective spill cleanup methodolo-  
19 gies for Cook Inlet. The Oil Spill Commission report stated --  
20 and I think their analysis is much more in-depth than Minerals  
21 Management Service's own in the Draft Environmental Impact  
22 Statement -- I quote:

23 "The extreme environmental conditions in Cook  
24 Inlet, with tides of 30 feet and currents of 8  
25 knots, cause spreading to occur so rapidly that

1           effective response with mechanical recovery is  
2           not likely to be successful."

3       And we know also that other methods of spill cleanup are  
4       unproven.

5           MMS has attempted to use the CIRCAC and MMS studies  
6       to conclude that Cook Inlet has a clean bill of health. This  
7       is scientifically unfounded given the short-term nature of the  
8       studies, few sampling stations, and questionable credibility of  
9       the CIRCAC contractor. We urge the independent evaluation and  
10      design of a comprehensive study to determine chronic and cumu-  
11      lative effects in the Inlet and the National Academy of  
12      Science's review of adequacy of information for Cook Inlet and  
13      Shelikof Strait.

14           Recent studies suggest that -- and this is a quote  
15      from a scientific paper published in the Auk:

16           "Chronic impacts may be a more significant cause  
17           of sea bird mortality than large spills. The  
18           subtle and long-term effects of chronic oil  
19           pollution are likely to be extremely damaging to  
20           sea bird populations and to be politically dif-  
21           ficult to stop."

22      This is in a paper by DiBorsma (ph), 1994.

23           The Draft Environmental Impact Statement does not  
24      accurately represent the value of Cook Inlet fisheries. Upper  
25      Cook Inlet is not discussed and represents an additional multi-

1 million-dollar value. The DEIS does not discuss recent studies  
2 indicating a much higher level of productivity and diversity of  
3 the northern Inlet for planktonic organisms and larval fish  
4 species. This study, that I have a copy of, was suppressed by  
5 ARCO, so I'd like to make this known to you. Upper Cook Inlet  
6 is likely to be affected by chronic and catastrophic oil spills  
7 and pollution from lower Cook Inlet development.

8 And finally, the energy analysis included does not  
9 represent an accurate consideration of an alternative to the  
10 proposed action because it does not reflect state-of-the-art  
11 thinking on the potential for renewable energy and efficient --  
12 and efficiency to surpass the need for fossil fuel development.  
13 And Dorothy Childers will address some energy arguments that we  
14 would like to make. Thank you.

15 MS. GOTTLIEB: Okay. Thanks, Pam.

16 (Pause)

17 MS. GOTTLIEB: Next we have Marc Lamoreaux.

18 (Pause)

19 MS. GOTTLIEB: Marc, what I said in my introduction  
20 is maybe you'll spell your last name so the court reporter gets  
21 it properly, please.

22 MR. LAMOREAUX: Okay. It's L-a-m-o-r-e-a-u-x.

23 MS. GOTTLIEB: And if you'd state who you're with,  
24 please.

25 COURT REPORTER: Could I get you to spell the last

1 name again?

2 MR. LAMOREAUX: Yeah. L-a-m-o-r-e-a-u-x. And it's  
3 Marc with a "c."

4 **PUBLIC TESTIMONY OF MR. MARC LAMOREAUX**

5 Okay. And I'm with Cook Inlet Marine Mammal Council.  
6 I'm the Research Facilitator. These are the Native marine  
7 mammal hunters and users in the Inlet, especially the upper  
8 Inlet, with the beluga hunters being the core group of initi-  
9 ators. Cook Inlet Marine Mammal Council is preparing a written  
10 statement, which I hope will be considered before prosecuting  
11 this sale.

12 My basic position is that further oil development in  
13 the Cook Inlet should not proceed till there has been adequate  
14 testing for the effects of development to date, as well as  
15 research to better understand the potential effects of the  
16 proposed development. There is a paucity of data from the  
17 upper Inlet.

18 Tidal action scours the bottom leaving little sedi-  
19 ment to analyze for petroleum pollution. Mollusk reproduction  
20 tests conducted by Minerals Management Service failed when the  
21 mollusks died from suspended sediments. That such tests were  
22 conducted highlights the poor state of scientific understanding  
23 of the (indiscernible). We don't even know what kind of  
24 bottomfish should be tested for petroleum hydrocarbon effects  
25 in the upper Inlet. These fish and the enzyme tests may be the

1 best tests to date for oil pollution, and they should be done  
2 before leasing out the Inlet.

3 The Cook Inlet beluga tissue sampling for analysis of  
4 oil pollutants has been opportunistic and far from comprehen-  
5 sive. Some archive tissues should be analyzed for back-cast  
6 baseline data for a range of pollution indicators. Those  
7 studies which haven't been done yet. Marine mammal tissues  
8 should contain indicators of petroleum pollution as these  
9 toxins accumulate up the food chain.

10 The Cook Inlet Marine Mammal Council intends to begin  
11 supplying samples of marine mammal tissues for archival and  
12 analysis this summer. National Marine Fisheries Service and  
13 probably Minerals Management Service will help with this  
14 project. Beluga livers should be analyzed for several indica-  
15 tors of petroleum hydrocarbons. These include metabolites and  
16 biomarkers, such as enzymes and remnants of petroleum parent  
17 compounds.

18 Paul Becker, advisor of the Marine Mammal Tissue  
19 Archival Program, is now confident in the DNA adduct analysis,  
20 which looks at changes in molecules attached to liver DNA  
21 resulting from petroleum hydrocarbons. And we intend to get  
22 these tests conducted as well. Also, heavy metals, there's a  
23 long list of them, such as vanadium, may accumulate in beluga  
24 blubber from oil and gas pollution. We also want to see  
25 analysis for organic chlorines and other pollutants.

1           The Cook Inlet harbor seals should also be considered  
2 for sampling. None seem to be reported in the Marine Mammal  
3 Tissue Archival Program documentation. But these should be  
4 available from Council hunters as well. Natives are under-  
5 standably concerned about these pollutants which accumulate in  
6 marine mammal tissues since this is their food. Some hunters  
7 have reported an increase in lesions, tumors, blubber irregu-  
8 larities, and other maladies in beluga tissues, and these  
9 should be sampled and analyzed as well.

10           (Cough) Is there any water around here?

11           MS. GOTTLIEB: Sure.

12                   (Pause - Whispered comments)

13 BY MR. LAMOREAUX (Resuming):

14           It is a morbid joke that dead beluga washed ashore in  
15 some areas of eastern Canada are classifiable as miniature  
16 toxic waste sites. Although commercial and sport hunting  
17 originally depressed populations of beluga in the St. Lawrence  
18 Gulf, pollution seems to have depressed their rate of reproduc-  
19 tion to the extent that they cannot repopulate. It is now  
20 thought that the Cook Inlet does not flush itself as was once  
21 thought, but rather, the water sloshes back and forth like in a  
22 bathtub. The marine mammal subsistence resources may be swim-  
23 ming in an accumulation of toxic brew.

24           I heard last night that the Minerals Management  
25 Service projects a 64-percent chance, probability, of major oil

1 spill from 1,000 to 250,000 barrels, and if only 10 percent of  
2 oil is usually recovered from Cook Inlet spills because of  
3 extreme tides, ice, et cetera, this is an unacceptable risk  
4 level to the aquatic ecology upon which subsistence resources  
5 depend.

6           There is currently a moratorium on offshore oil/gas  
7 development on the West and East Coasts of the Lower 48. Sales  
8 off Kodiak and Shelikof Strait have been deleted from the sale  
9 due to public opinion, often from fishermen who depend on  
10 aquatic resources, as well as the Chuckchi sales have been  
11 spoken out against by the whalers up there. And the resources  
12 in the Cook Inlet are no less important.

13           The Cook Inlet beluga stock is discrete, being repro-  
14 ductively isolated from other beluga in the Bering and Beaufort  
15 Seas. Over the last year, official National Marine Fisheries  
16 Service estimates of the number of beluga in the Cook Inlet  
17 population have ranged from around 300 to around 1,200. They  
18 are classified as a strategic stock, which mandates further  
19 study of their population parameters under the MMPA. Their  
20 migration routes and times when they might rely on the area  
21 that's slated for oil development are not well known.

22           Similar comments apply to the Cook Inlet harbor  
23 seals, whose populations are in trouble across the northern  
24 Pacific Gulf Rim. And of course, the steller sea lion, but  
25 they're down a little farther. So I wonder how you can assure



1 us that the oil development will not disrupt these migrations  
2 on the -- of the beluga, which are the subsistence resources  
3 for CIMMC.

4 Studies of all these factors are planned by National  
5 Marine Fisheries Service and CIMMC. Oil leases are -- oil  
6 lease sales should await consideration of these results, and  
7 you should certainly consult with Native hunters about how to  
8 minimize impacts to beluga if you do end up going ahead with  
9 this development.

10 MS. GOTTLIEB: Thanks, Marc. Got some.....

11 MR. LAMOREAUX: And we have some other members of our  
12 Council here who might like to comment.

13 MS. GOTTLIEB: That would be great.

14 MR. LAMOREAUX: There's Denty Owens and.....

15 (Pause - Whispered comments)

16 MS. GOTTLIEB: Hi, Denty.

17 MR. OWENS: Hi, Judy.

18 **PUBLIC TESTIMONY OF MR. DENTY OWENS**

19 My name is Denty Owens. I live and subsist in the  
20 Cook Inlet waters here. The Cook Inlet waters are a part of my  
21 harvest for my food. I might like to say a couple of things.

22 Starting from the beginning of our season, we start  
23 with the hooligan. It's just a small fish that come in to  
24 spawn in the -- on the sandbars and on the river sides of Cook  
25 Inlet. And should this be destroyed, there goes part of our

1 livelihood in the sense that we utilize these little hooligans,  
2 and not only the hooligans utilized are not only -- we utilize  
3 these hooligans, but also the seagulls, and which the seagulls  
4 also feed us as we gather their eggs in the springtime.

5           Should these hooligans be destroyed because of a  
6 major oil spill or some kind of contaminants, it would greatly  
7 affect not only the hooligan and the seagull and then on down  
8 the line, but we also utilize the seals in the Cook Inlet. And  
9 the beluga is our major source of food from this area. Also,  
10 starting from the king salmon, after the hooligan, the king  
11 salmon, then the reds, red salmon, and the few humpies that we  
12 have here, and then the silver salmon.

13           I noticed -- I just skimmed over your booklets over  
14 there, and I noticed there was nothing mentioned on the beluga  
15 whales, which a lot of the population, not only in Anchorage,  
16 but it has a far-reaching effect into the coastal villages of  
17 Alaska as it's one of our major sources of food. I'm really  
18 greatly concerned because this greatly affects us. I don't  
19 know how it would affect you guys if the beef was affected in  
20 this way, but I imagine that you guys would really have an  
21 uproar about that.

22           I would like to see more research done on especially  
23 the belugas. Thank you very much.

24           MS. GOTTLIEB: Thanks, Denty. Appreciate your coming  
25 today. Marc, are there other members from your group who

1 wanted to testify?

2 MR. LAMOREAUX: (Inaudible response.) But I did find  
3 a place where there was mention of the beluga, but basically,  
4 there -- it's not knowing what the effects are going to be on  
5 them. So.....

6 MS. GOTTLIEB: Okay. Thank you.

7 (Pause - Whispered consultation)

8 MS. GOTTLIEB: Is Martha here?

9 (No audible response)

10 MS. GOTTLIEB: We're running a little bit ahead of  
11 schedule from when folks signed up, but I'll be glad to call  
12 the next people who have signed up, and we may need to go back  
13 when Martha does arrive. Carl, I think you're next then.

14 (Pause)

15 **PUBLIC TESTIMONY OF MR. CARL HILD**

16 Good afternoon. My name is Carl Hild, H-i-l-d. I  
17 work with the Rural Alaska Community Action Program in their  
18 Subsistence and Natural Resource Department. And I haven't had  
19 an opportunity to review this entire document; things have been  
20 pretty hectic, and it's quite a substantial piece of work. I  
21 have gone over some things, though, and I have brought up some  
22 concerns, and I'd like to share those with you.

23 Also during the -- this last little bit of time, one  
24 of the reasons why I've been busy is the fact that I sit on the  
25 Alaska Regional Scientific Review Group for the Marine Mammal

1 Protection Act stock assessment process, which is going on  
2 right now. And we just have completed our meetings and our  
3 recommendations to the National Marine Fisheries Service and to  
4 Fish and Wildlife Service in regards to marine mammal stocks in  
5 the state of Alaska.

6 There is a real concern that I see coming up, and  
7 several of the other previous speakers here have mentioned  
8 this, and this is, I think, an area of concern, particularly  
9 the southern end of the lease sale, but also moving up through  
10 the entire region. I would like to just state that, for  
11 example, in the graphics that are provided in the back of the  
12 manuals, these are very helpful, and I think this is really  
13 advantageous to have this kind of graphic in the material.

14 But, for example, the one on marine mammals doesn't  
15 include the endangered species because the endangered and  
16 threatened species are on another map. Now, I don't think  
17 that's a good idea. I think if you're going to have one map  
18 for marine mammals, you list all the marine mammals on this  
19 whether they're endangered, threatened, depleted, strategic,  
20 non-strategic, whatever the classification. I think you should  
21 list all your marine mammals on one graphic.

22 Likewise, when you do have your endangered and threa-  
23 tened species, they need to all be there. Someone mentioned  
24 that the steller sea lions currently are threatened, but I  
25 understand the steller sea lion recovery team has met just

1 recently. It has made the recommendation that they become  
2 endangered, and I would anticipate by the April 19th deadline  
3 for written comments, that they may actually be on the endan-  
4 gered list. So this would be an area to take in consideration.

5 I think, also, when you make a listing of endangered  
6 and threatened species, you have the areas where they occur,  
7 but in many areas now, for fishery interaction, the trawl  
8 boats, fishery boats are told that they have to maintain a  
9 buffer zone around known habitats, haul-outs, rookeries. And  
10 so this might be something to consider as well. If there's a  
11 known habitat that goes up through Cook Inlet for any of these  
12 species, you may want to institute a buffer zone around these.  
13 It's not like you have the extreme ability to go up to the edge  
14 of a habitat area and protect it. So you may want to look at  
15 this.

16 Someone also mentioned -- this was actually an item I  
17 was going to mention later, but it fits in here -- the issue of  
18 the tides and winds in Cook Inlet. I don't know if you've ever  
19 had the opportunity to watch a bore tide come up Turnagain Arm.  
20 Now, I know this is the upper part of the Inlet, but this is  
21 rather remarkable to see that much water moving in.

22 And I would be real concerned, and I'd like to see  
23 some better modeling done, on how fast, if there was an oil  
24 spill done at a time when there was an extreme high tide, with  
25 possibly a bore tide, would that oil float on that -- the crest

1 of that wave and move well up into the Inlet very quickly. I  
2 think those types of things need to be considered. Add a  
3 little bit of wind behind it, and you can definitely have a  
4 quite influential spreading of oil in a very rapid time period.

5 I would like to see some kind of graphic put in here  
6 that would look at the various subsistence use areas. You have  
7 different maps showing where there is a habitat for various  
8 species, but there is no comprehensive map looking at subsis-  
9 tence use. And this would include all marine and coastal  
10 resources. I think it should include invertebrates, it should  
11 include plants, it should include the marine mammals and other  
12 animals that are used -- utilized by the communities along Cook  
13 Inlet.

14 I think this graphic would give you a better outline  
15 of how far these regions are and if there needs to be buffer  
16 zones and protected areas for these habitats. It -- that would  
17 provide a better idea for scoping the size of this particular  
18 sale.

19 As I was getting into the document, one of the pieces  
20 I came across was Section 3.B.14., Item No. 3, that starts  
21 talking about killer whales. And one of the things that came  
22 up during the stock assessment report was the fact that the  
23 Scientific Review Group decided to break the killer whale  
24 stocks here in the state of Alaska into two groups: residents  
25 and transients.

1           Resident killer whales seem to stay closer to shore.  
2   They seem to interact with fisheries more often. They have  
3   different acoustical social interactions among their pods, as  
4   the transient animals who spend more time offshore do not  
5   interact with the fisheries quite as much and move over a  
6   greater area of terrain. So that in looking at this particular  
7   area, you may really want to pay some attention to those resi-  
8   dent killer whale pods that would be at the lower end of Cook  
9   Inlet because these are the animals that do not move around  
10   quite so much and come there for (indiscernible - cough) time  
11   and could have the greatest amount of interaction.

12           Let's see. And I would like to refer you back to the  
13   Marine Mammal Commission has recently completed a report on  
14   killer whales using this idea of transients and residents, and  
15   they outline a lot of the additional biology there.

16           I would like to recommend as something I have not  
17   seen, and it -- once again, I apologize for not having gotten  
18   through the entire document -- but some additional investiga-  
19   tion of near-shore areas. This is not intertidal; this is not  
20   tidal areas, but near shore.

21           One of the things that has come up as we've been  
22   evaluating the drop in the population of harbor seals in the  
23   Gulf of Alaska -- there's been a significant drop, starting in  
24   the late '70s and has just continued -- the islands off the  
25   southern end of Kodiak, the pup counts there are down by 90

1 percent over the past 20 years. This is just an unbelievable  
2 drop in that time period, and the concern is that it's not so  
3 much that the pups are dying immediately, but it appears that  
4 the juveniles are not surviving.

5 The pups are not surviving through the yearling  
6 stage, and it's during this time period they're feeding near  
7 shore. They don't have the ability to dive deep, so they're  
8 staying close to shore for their survival. And, you know,  
9 there's investigation going on now to get better information on  
10 that. And this is an area I think would be real critical for  
11 the harbor seal habitat areas at the southern end of your sale  
12 area, that you do some specific studies, looking at that  
13 inter -- that near-shore area.

14 At this point, I think I would like to just conclude  
15 and say that the use of this area is not just for the fishery  
16 industry, it's not just for the subsistence people. It's used  
17 as a transportation corridor to and from Anchorage. There's a  
18 lot of other activity that goes on in this area.

19 It is a concern; in fact, it is one of the most  
20 extremely sensitive areas for seismic activity in our state.  
21 There's been recommendations from the Division of Emergency  
22 Services that there may be a significant earthquake in this  
23 area, that it's overdue. We haven't had a major or great  
24 earthquake since 1964. So that the development of any of these  
25 need to be taken into consideration, the fact that we are very



1     likely going to have another big earthquake in this rare --  
2     area. And the impact on all those other users needs to be  
3     taken into consideration when you're developing something like  
4     oil and gas in this region.

5             The last comment I would like to make really has  
6     nothing to do specifically with these stock assessments, but it  
7     does have to do with this meeting. When I came in this after-  
8     noon, I was greeted by a guard downstairs who went through my  
9     bag. And I know, Ms. Gottlieb, you mentioned that I was --  
10    that there was an irate taxpayer, and it's an IRS issue. When  
11    I specifically asked the guard, who was only searching people  
12    who were getting on the elevator, why this was going on, he  
13    said, 'Oh, there's a meeting upstairs, and Greenpeace is going  
14    to be there.'

15            So unless the irate taxpayer is Ms. Miller here,  
16    sitting behind me.....

17            MALE SPEAKER FROM THE AUDIENCE: Or Ms. Childers.  
18    BY MR. HILD (Resuming):

19            Or Ms. Childers, okay. That, you know, I would think  
20    that something needs to be clarified here. You know, I'm not  
21    saying that what you told us is wrong, but someone should  
22    inform that guard of what is being said because I don't think  
23    it is appropriate if he's saying that the reason that people's  
24    belongings are searched coming into this building because  
25    Greenpeace is attending a meeting like this, I think that's

1 inappropriate for a guard to be saying that unless it is the  
2 truth.

3 So I'd just like to make that -- put that on the  
4 record and make sure that somebody does correct that.

5 MS. GOTTLIEB: That's fine. The.....

6 MR. HILD: Thank you.

7 FEMALE SPEAKER FROM THE AUDIENCE: Maybe we should  
8 look outside the window and see if anybody's scaling the  
9 building.

10 MS. GOTTLIEB: Well, the picture of the irate tax-  
11 payer did not look anything like either of you. I'll vouch for  
12 that.

13 Thank you, Carl, for those specific comments. And  
14 likewise, all the testifiers have given us very, very good  
15 specific comments where we can make improvements, and providing  
16 us issues where we can work together on before final gets  
17 published.

18 So, Dorothy, you're next then.

19 **PUBLIC TESTIMONY OF MS. DOROTHY CHILDERS**

20 My name is Dorothy Childers, C-h-i-l-d-e-r-s, and I'm  
21 also -- I'm representing myself as a resident of Cook Inlet and  
22 Turnagain Arm, and I'm also representing Greenpeace. I've  
23 worked on OCS issues for a long time, and I've never -- this is  
24 the first lease sale I've ever been involved in that actually  
25 affected my very own back yard. So I have a particular differ-

1 ent level of interest in this one than I have in other issues  
2 on a nationwide basis.

3 I wanted to focus on one aspect of this sale, that  
4 is, the energy -- this Lease Sale 149 is an energy question.  
5 Greenpeace has been critical of the OCS program for a long time  
6 on the basis of energy planning, and so I just wanted to add a  
7 little more in the way of statistics to what Pam said.

8 We don't believe that the Alaska OCS program provides  
9 a meaningful contribution to U.S. -- the U.S. energy future in  
10 the way of security or sustainable energy sources. The current  
11 five-year plan, of which Lease Sale 149 is a part, demonstrates  
12 this clearly, and I wanted to just give some of the statistics  
13 that we have referred to in other comments on other lease sales  
14 and on the program itself.

15 The entire risked mean unleased economically recover-  
16 able oil and gas resources that MMS estimates for all the OCS  
17 regions, not just Alaska, in the current five-year plan was  
18 estimated to be 18.87 billion barrels of oil equivalent. With  
19 the current U.S. annual consumption of 6 billion barrels per  
20 year, the OCS resources equal only three years of energy.

21 Now, of course, we understand and acknowledge that  
22 the actual production would take many years, maybe 20 to 40  
23 years, to accomplish that, but over that period of time,  
24 produc- -- period of production time, this would lower oil  
25 imports to the U.S. by only a few percentage points on a daily

1 basis during those years. So the fact that it might -- is 18  
2 billion barrels of oil overall still represents only a small  
3 amount of what we require at our current energy consumption  
4 rates -- oil consumption rates.

5 Lease Sale 149, according to the DEIS, has a base  
6 estimate of 500 million barrels of oil. And, by the way, the  
7 graphs and text, as far as I can tell, don't match because in  
8 the text, it says that the mean -- or that the base estimate is  
9 500 million barrels, but in the charts, it says 200. And maybe  
10 I just misread them, but I couldn't make them match. So I was  
11 just going to go on the higher figure, 500 million barrels of  
12 oil, for today.

13 That equals about 29 days of oil -- days -- at our  
14 current consumption rate. If that oil was utilized over the  
15 document's estimated 18 years of production, this would equal  
16 only .44 percent. That's less than 1 percent of U.S. daily  
17 consumption, again, offsetting a very small amount of imported  
18 oil. We think this is a clear demonstration of this lease  
19 sale's failure to provide any meaningful amount of energy,  
20 aside from the fact that we think that renewable energy sources  
21 have many more advantages besides just offsetting imported oil.

22 From an economic perspective, the OCS program  
23 averages -- and these figures may be slightly outdated, but  
24 in -- when -- in our programmatic comments, we figured that the  
25 OCS program averages 3.2 billion barrels -- I'm sorry -- \$3.2

1 billion per year to the Federal Treasury. This is a lot of  
2 money, and certainly, if we could cut 3.2 billion barrels from  
3 some appropriate place in the federal budget, we would advocate  
4 that.

5 But this is a lot of money, but it is, by contrast, a  
6 small amount compared to the savings of energy -- that energy  
7 efficiency improvements made between the years of 1973 and  
8 1986. That's after the Arab embargo when efficiency measures  
9 were mandated in the United States. Those meager improvements  
10 and efficiencies saved \$150 billion each of those years.  
11 That's 47 times the revenue from the OCS program every year,  
12 was saved by doing the most minimal energy efficiency improve-  
13 ments that we could nationally.

14 So we think that the efficiency potential is consid-  
15 erably higher than that, and by example, some have estimated  
16 that an increase in fuel economy for cars and light trucks to  
17 40 miles per gallon and 30 miles per gallon, respectively,  
18 would yield 20 billion barrels of oil in savings over the next  
19 20 to 30 years. So there's a lot of contrast between what this  
20 lease sale and even the whole OCS program in general provides  
21 to the United States and what improvements in energy efficiency  
22 and increased reliance on renewable energy sources could do.

23 So we don't think that holding Lease Sale 149 is a --  
24 represents a fair balance of public policy goals, as you men-  
25 tioned, Judy, because if the program is designed to -- if the

1 purpose of the program is to create an energy source for this  
2 country, we think that there's better ways to do that.

3 And I also might add that the last time I had my bag  
4 checked in a public place was at the -- outside of the Exxon  
5 shareholders' meeting after the 1989 oil spill.

6 MS. GOTTLIEB: Thanks, Dory. Tom, I think you're  
7 next.

8 **PUBLIC TESTIMONY OF MR. TOM LAKOSH**

9 Good afternoon. Thank you for this opportunity to  
10 provide testimony to the Minerals Management Service. My name  
11 is Tom Lakosh; that's spelled L-a-k-o-s-h. My address is P.O.  
12 Box 100648, Anchorage, Alaska 99510.

13 Unfortunately, I haven't had a great deal of time to  
14 examine the DEIS, but I know some glaring deficiencies, and  
15 basically, I'd first like to address the philosophy of impact-  
16 ing subsistence communities and subsistence harvests.

17 First and foremost, the nature of the remote subsis-  
18 tence communities dictates that should their subsistence  
19 harvests be adversely impacted, they are likely to be required  
20 to flee the area to sustain themselves since the cost of sub-  
21 stituting those foods with flown-in foods is prohibitive. And  
22 essentially, any impact upon those subsistence harvests consti-  
23 tutes essentially genocide.

24 In essence, the federal government is still providing  
25 smallpox blankets to the Natives here in Alaska, the Last

1 Frontier, since we've managed to conquer all of the other  
2 tribes in the United States. We have the Last Frontier where  
3 we are still wiping out Natives for the production of the  
4 industrial machine of the United States.

5 And there is a glaring absence of subsistence users  
6 from urban communities who use the resources along the Cook  
7 Inlet. There has been as many as 10,000 subsistence permits  
8 issued to people from Anchorage that use the western shore --  
9 or eastern shore here of Cook Inlet, and I didn't see any  
10 reference to those permittees whatsoever, much less the other  
11 types of non-commercial fishermen that use those resources.

12 I have personally obtained subsistence permits for  
13 Cook Inlet. I'm also a commercial fisherman with a halibut IFQ  
14 for Area 3-A, and a victim of the 1989 Exxon Valdez oil spill.  
15 And what I see here is a underestimate -- a ten-fold underes-  
16 timate of the damage to fisheries, of the actual damages to  
17 fisheries, that have been granted in Phase II-A of the Exxon  
18 Valdez trial.

19 I believe the estimate was from \$11.1 to \$44.5  
20 million when, in fact, it had been well over \$300 million  
21 determined to be the damage by the jury. And I'm wondering how  
22 in heaven's name those estimates were obtained when a jury of  
23 our peers has determined that there were quite a bit more  
24 damages than have been recognized by the Minerals Management  
25 Service.

1           And that should not, by any means, be relegated to a  
2 back seat, the question of punitive damages by the industry --  
3 that were assessed against Exxon and its affiliates of \$5  
4 billion, giving an idea to our government representatives of  
5 what type of oversight ought to be maintained in the oil  
6 industry. We have a very high regard for our natural  
7 resources, and we feel that there is a high degree of regula-  
8 tion necessary to provide for the safe and reasonable concur-  
9 rent uses of our natural resources.

10           There is a high potential for what is presently  
11 considered Alaska's resources -- a high potential for damage to  
12 what is presently considered Alaska's resources, and the rights  
13 of -- the constitutional rights of Alaska and to protection of  
14 those reasonable concurrent uses should be honored.

15           I might make note, though, that there is a question  
16 as to whether the areas to be leased are within the jurisdic-  
17 tion of the federal government or that of the State of Alaska  
18 since those territories were deeded to the State of Alaska --  
19 to the Territory of Alaska and turned over to the State of  
20 Alaska when we obtained statehood, that all the waters clear to  
21 the national boundary between Big Diomedes and Little Diomedes  
22 were deeded to the Territory and then to the State of Alaska.  
23 So there is a question as to whether there is federal jurisdic-  
24 tion in this area in the first place.

25           But I am also -- because I was a victim of the Exxon



1 Valdez oil spill, I took a great deal of time in the last five  
2 and half, almost six years now that have transpired, into  
3 looking into the transportation issue of oil. And I've been  
4 actively engaged in the contingency planning process, and the  
5 industry has still denied the best available technology that  
6 was a condition of lease and permit for the Trans-Alaska Pipe-  
7 line and the North Shore Oil Fields, that we are not having the  
8 escort vessels that we requested, we're not having the salvage  
9 tugs that are required to cope with tanker -- disabled tanker  
10 problems in open waters.

11 And what I -- is -- the reason why I mentioned  
12 tankers is it's clear that the oil from this lease development  
13 will not be totally consumed at Nikiski, and it will have to be  
14 either shipped out again as crude oil or refined product. And  
15 the Impact Statement is clearly deficient in assessing the  
16 impact from shipping of the refined or crude product.

17 There is also a question of need of development of  
18 this oil when the industry, at this present time, is trying to  
19 obtain waivers from the provisions of law which prevent the  
20 export of oil. Their rationale for the release from this  
21 export -- this oil export ban is that there is a glut of oil on  
22 the West Coast, that we can't possibly consume all of the oil  
23 we're producing in Alaska, and therefore, we have to ship it  
24 off to some foreign compy -- country, therefore the -- defeat-  
25 ing the intent to decrease oil imports to protect our national

1 security.

2 It's just plain clear and simple that we cannot  
3 consume this oil on the West Coast, that your estimates of oil  
4 prices, therefore, are overestimates because the continuing  
5 slide in the international cartel in being able to maintain oil  
6 production restrictions has been driving the price of oil down  
7 in the Gulf. There's practically no difference in the price of  
8 oil between Gulf oil and the West Coast, despite the increased  
9 transportation cross through the Panama Canal. And what we  
10 have is a situation is we don't know what to do with the oil  
11 that we're already producing.

12 And it seems beyond me why these Native cultures  
13 would be endangered, the commercial fishing would be endan-  
14 gered, and all of the recreational opportunities in Cook Inlet  
15 and these national parks which have been cited, and reserves,  
16 would be endangered by such a risky venture in areas where  
17 there's such high tidal currents and ice floes. And if there  
18 were any sort of justification for the production of this oil,  
19 I can see where a cost/benefit analysis would come into play at  
20 that point.

21 But there is no justification for the production of  
22 that oil at this time, and I fail to see why this lease sale is  
23 even being considered when there is a glut of oil. If you  
24 can't sell the oil, I don't understand why you want to produce  
25 it, much less put all of these valuable resources at risk.

1           And it's not just a matter of cost/benefit analysis  
2 if the end result is going to be genocidal. I do not see that  
3 there is any option but to protect those Native cultures which  
4 have so long endured, for approximately 30,000 years, up to  
5 30,000 years of estimates of archeological findings, and why,  
6 at this time, with such a short-sighted benef- -- a shorts -- a  
7 short-term benefit that could possibly occur, even giving a  
8 need for oil, that these cultures which have survived for that  
9 amount of time should be put in such jeopardy.

10           It's clearly an ethnocentric attitude that the  
11 federal government has been pursuing, and that it is time that  
12 we recognized the rights of these indigenous people to maintain  
13 their lifestyle and culture in the lands that they have occu-  
14 pied for millennia, and that the production -- such meager  
15 production, unnecessary production, for such a short period of  
16 time certainly cannot warrant the risk to these cultures.

17           I -- and I've looked also at the effects on the  
18 commercial and she- -- the commercial fisheries, and I notice  
19 that these are very vague and incomplete analyses of the  
20 resources at risk. I believe that there is, you know, commer-  
21 cial clam harvests on the western shore of Cook Inlet, which  
22 are not referenced here anywhere. There are, you know, all  
23 types of subsistence fisheries in the entire area which are not  
24 specifically referenced.

25           I believe that, you know, the analysis, above and

1 beyond the general questions of risk, has been fairly incom-  
2 plete and inexact. I believe that there is no basis for  
3 preparing a cost/benefit analysis if that were the decision to  
4 proceed with this genocidal act, and that in order to meet the  
5 requirements of the National Environmental Policy Act, that  
6 there should be a total reassessment of the resources at stake  
7 and the potential impacts, including that of transportation,  
8 particularly when it's stated in this report that trawl fisher-  
9 ies might adversely affect the pipeline, the 12-inch pipeline,  
10 which is going to be required to transport this oil.

11 Thank you very much for the opportunity to testify.

12 MS. GOTTLIEB: Thanks, Tom. Why don't we take about  
13 a five-minute break, and then we'll resume.

14 (Off record at 3:05 p.m.)

15 (On record at 3:20 p.m.)

16 MS. GOTTLIEB: -- Environmental Impact Statement.  
17 Tom's going to continue with a few additional comments.

18 BY MR. LAKOSH (Resuming):

19 Thank you for this opportunity to continue my com-  
20 ments. Unfortunately, I managed to over -- to forget about  
21 this particular phrase -- phraseology here in the analysis of  
22 the impacts of oil spills. Of particular regard I'm concerned  
23 about this sentence:

24 "However, the financial compensation received by  
25 the commercial fishing fleet during the cleanup

1 process was not factored into this -- these  
2 estimates. That compensation was estimated to  
3 have exceeded, by several orders of magnitude,  
4 the revenue lost due to the spill."

5 And I'm highly concerned that that indicates that oil  
6 spills should be looked at as an economic benefit. And I  
7 believe that's totally abhorrent to the concept of preventing  
8 environmental damages. In effect, what it's saying, that  
9 people should be encouraged to -- or people should be encour-  
10 aged to look upon oil spills as favorable because of the  
11 economic -- the favorable economic impact that they have, as  
12 opposed to the harmful environmental damage and resulting --  
13 resultant economic impact.

14 And I therefore request that any -- that that parti-  
15 cular phraseology and section of this report be stricken, and  
16 that the financial -- quote/unquote, "financial compensation  
17 from oil spill activities" be totally removed from any  
18 cost/benefit analysis due to the fact that it is the duty,  
19 under all common law of persons causing threat to the public  
20 health, safety, and decency, to mitigate their harmful effects  
21 to the public good, and that any such compensation is a liabil-  
22 ity, a civil liability, as opposed to an economic benefit.

23 Thank you very much.

24 MS. GOTTLIEB: Thanks, Tom. Martha, we have you  
25 next, and if you would please give your name with spelling so

1 the court reporter can take that down, and the organization you  
2 represent.

3 MS. LEVENSALE: Okay.

4 MS. GOTTLIEB: If you are.

5 **PUBLIC TESTIMONY OF MS. MARTHA LEVENSALE**

6 My name is Martha Levensaler, L-e-v as in Victor  
7 -e-n-s-a-l-e-r. And I'm with the National Wildlife Federation  
8 here in the Anchorage office.

9 I have come today to testify against the Lease Sale  
10 149 for a lot of different reasons. It's my understanding that  
11 the Native villages in the area are opposed to this, that there  
12 are many fishing groups, both commercial and recreational, that  
13 are opposed to this. And also, it's my gut feeling that the  
14 best way to prevent pollution damage to an area is just not to  
15 have those activities going on.

16 I came to Alaska in 1989 because of the Exxon Valdez  
17 oil spill, and I worked for six months with DEC in Valdez, and  
18 then I worked for three and a half years with Preston, Thor-  
19 grimson, the law firm that was on contract with the State to  
20 sue Exxon. When I first went to work for Preston, I went with  
21 a great deal of zeal, with my new responsibilities of saving  
22 the world and righting a wrong.

23 It didn't take me very long to feel that what I was  
24 doing, though necessary at this stage of the ac- -- of the  
25 event, was not saving anything, not helping anything, that

1 prevention is a hundred percent of taking care of these prob-  
2 lems, that once an area is damaged, restoration, any amount of  
3 money thrown at it and restoration projects just -- they don't  
4 make an impact. They don't -- they do not return something  
5 that has been damaged to that degree.

6 And considering that this area is still suffering the  
7 effects of the oil spill, I think it's particularly unwise to  
8 be subjecting it to more -- to a greater potential of pollu-  
9 tion, and that, therefore, I am opposed to the lease sale. And  
10 that's all I had to say.

11 MS. GOTTLIEB: Okay. Thank you. Appreciate your  
12 coming today.

13 MS. LEVENSALE: Okay.

14 MS. GOTTLIEB: David, you're next.

15 **PUBLIC TESTIMONY OF MR. DAVID HARRISON**

16 My name is David Harrison. I'm the Attorney General  
17 for Chickaloon Village, or, you might say, in traditional  
18 terms, the War Chief. I come here today to, again, express our  
19 very deep concern over the positions and the documents that the  
20 Interior Department, through the Minerals Management Service,  
21 has put out concerning our territory.

22 Before, when I testified before this body, at that  
23 time, I was a chief fish and game management officer for Chick-  
24 aloon Village. We have great concerns about these oil and gas  
25 developments because they are obsolete. There is no consider-

1     ation for the health of the people who are around it. There is  
2     no consideration for the health of the workers that are going  
3     to develop it, knowing that radioactivity is very common among  
4     oil and gas. It's very well documented down in the Unocal yard  
5     on the Kenai Peninsula. You would probably find a lot more  
6     documentation up on the North Slope.

7             Oil and gas, or any kind of energy resources that you  
8     dig out from under the surface of this Mother of ours -- that  
9     provides your life, it provides your food, that provides the  
10    clothes that you are wearing, it provides the building that you  
11    are sitting in at this present moment -- you must look farther  
12    than a couple of years ahead of you. For those that have  
13    children, do you want them to be sick? Do you want them to be  
14    unhealthy? Do you want them to have the highest education that  
15    they can? If they are ill, they cannot have that highest  
16    education because they cannot think clearly.

17            I bring before you today the convention on the rights  
18    of the child that President Clinton just signed approximately  
19    three weeks ago. Under Articles 24, Section 1, it says,

20               "The state parties recognize the right of the  
21               child to the enjoyment of the highest attainable  
22               standard of health and to facilities for the  
23               treatment of illnesses and rehabilitations of  
24               those health (sic)."

25    It also goes on to say, under Article 32,



1 "State parties recognize the right of the child to be  
2 protected from economic exploitation...."

3 Oil and gas lease sales, wherever they may be, not only in Cook  
4 Inlet and the Bering Sea and the Arctic Ocean. Over in Kuwait  
5 where, if you want more oil, just keep protecting the Emir.

6 "...and from the performing of any work that is  
7 likely to be hazardous or to interfere with a  
8 child's education, or to be harmful to the  
9 child's health or physical, mental, spiritual,  
10 moral, or social development.

11 "The state parties shall take legislative,  
12 administrative, social, educational measures to  
13 ensure the implementation of these Articles. To  
14 this end, and having regard for the relevant  
15 provisions of other international instruments,  
16 state parties shall in particularly (sic) pro-  
17 vide for appropriate penalties or other sanc-  
18 tions to ensure the effective enforcement of  
19 these Articles."

20 You sit here claiming to represent the United States  
21 in a territory that the United States does not have any author-  
22 ity over based upon the United Nations Charter, which the  
23 United States became signatory in 1945. Under Article 73,  
24 United States has a sacred obligation to bring the inhabitants  
25 of Alaska up to self-government. Instead, military personnel

1 was shipped to Alaska during World War II and resulted in what  
2 people call the state of Alaska.

3 However, prior to that, the United States, in their  
4 laws, in their organic documents, say that they will have our  
5 consent before they appropriate our lands or assume jurisdic-  
6 tion over us. In Alaska you say, 'Well, the United States  
7 bought it.' No, that is not true. That is what a lot of these  
8 teachers and history writers would like you to believe.

9 But when you go and you look in the archives in the  
10 Soviet Union, you will find a memorandum that the United States  
11 calls "Memorandum Descriptive," marked AA. We call it the  
12 "Koslitzof (ph) Memorandum" because after the United States  
13 bought the Russian-American Trading Company, or expended the  
14 \$7.2 million that they expended to assert this claim that they  
15 bought Alaska, Secretary Seward wrote to Czarist Russia, says,  
16 'What did we buy?' They wrote back with this document and told  
17 him that they bought the Russian-American Trading Company and  
18 117,600 square feet of land in New Archangel, commonly known  
19 today as Sitka.

20 So that is the authority that the State of Alaska and  
21 the United States government has here in my territory until  
22 such time as the United States or the State of Alaska obtains  
23 consent from the Alaska Native people, not from 576 of them, as  
24 there was during the land claims, because that Act is null and  
25 void because the majority of the adult members of Alaska

1 Natives, in 1971, did not have the opportunity to vote. Now, I  
2 bring this up because in 1924, all Indians were declared citi-  
3 zens of the United States, provided that it did not deprive  
4 them of their tribal or other property.

5         Myself, I am no citizen of the state of Alaska. I am  
6 not a citizen of the United States. I am a D'Nai citizen.  
7 This is my territory to protect. In your documents, you say  
8 that we said we're the owners. In western mentality, yeah,  
9 we're owners, but in traditional mentality, no one owns our  
10 Mother. We are the caretakers, and we intend to take care of  
11 it however we can.

12         You may say that we're racist. Well, I was brought  
13 up in your educational system, and I probably am a little  
14 racist because of the oppression that the United States govern-  
15 ment has not only done here in Alaska but has done everywhere  
16 it has touched, outside its supposed national boundaries.

17         The oil and gas lease sales, or any other develop-  
18 ments that you must dig out from underneath the ground, you  
19 promote death for all natural life. When you use the surface,  
20 you are promoting life for all natural life because Creator and  
21 our Mother gave those things to us to use. The things that are  
22 underneath the surface are like the organs in your body. the  
23 oil and the gas are like the blood that flows through your  
24 veins. The coal is the liver; the uranium, the lungs. And you  
25 can go on and relate these to your own body. Now, if you were

1 to take these things out of your system, what would happen to  
2 you? You'd die.

3 That is what this plan is all about, killing people.  
4 Animals are people. You may not be able to speak with them,  
5 but many indigenous people can yet to this day. I'm not one of  
6 them, but I'm here speaking for those that have no means to  
7 speak, such as the fish, the animals, the plants, the trees,  
8 the unborn children, and our future generations because what  
9 you do now, they're going to have to deal with. They're going  
10 to have to clean it up because you will already be dead and  
11 gone from old age.

12 My elders in the village told me when they were kids,  
13 the old people then, they were talking about all of this pollu-  
14 tion. And the old people says, 'Oh, don't worry because young  
15 people will figure it out, and they'll learn how to deal with  
16 it.' Well, that's you guys. Now, it's us. We're still trying  
17 to figure out how to take care of it, and you guys keep dumping  
18 more and more and more on us. And the health of the people,  
19 not only the two-leggeds, the four-leggeds, the winged, the  
20 fish, they're all suffering at the actions that the United  
21 States has taken, just in the name of dollars.

22 This is not appropriate ideology. You cannot expect  
23 to get wealthy when your health is not there. The contaminants  
24 that these oil companies have already released in the Inlet, in  
25 Prince William Sound, on the North Slope have already damaged

1 the ecosystem in Alaska. And you're proposing more. That's  
2 insane. The reality behind what is going on here is not clear  
3 thinking. With the technology that the United States has, the  
4 technology that the international community has, there is no  
5 reason why they have to use oil and gas or coal or uranium or  
6 any of these other sources.

7 People complain about people on welfare and unemploy-  
8 ment. This is part of the cause why they're on welfare and  
9 unemployment, because you do things that are not including  
10 them. This is excluding them. And you say that, 'Oh, it'll  
11 provide jobs.' Well, doesn't do me a heck of a lot of good  
12 after I get sick from the jobs that you want to provide me.

13 We have deep concern about this because since the  
14 last time we were here, our salmon hatchery is constructed, it  
15 is operational, and we have had two releases so far. And we're  
16 on the very end of the northern Cook Inlet. They said it  
17 couldn't be done, but it is. We have a salmon hatchery that we  
18 took no State or federal money to construct, we took no State  
19 or federal permits to construct. Our traditional sovereign  
20 tribal government says, 'We're going to build it,' and we built  
21 it as a model program for alternate economic development pro-  
22 jects.

23 And our first criteria for an economic development  
24 project is, Is it environmentally safe? After that, Is it  
25 sustainable? Oil and gas is not sustainable. It's only sus-

1     tainable if you leave it in the ground so that it can provide  
2     the nutrients and the life for what is on surface. These are  
3     things that need to be considered.

4             In your report, you say all of our comments that  
5     Chickaloon Village made in Homer and in this room here are  
6     being negated because you say that you don't know whether they  
7     should be dealt with or not. They must be dealt with because  
8     you have no legal authority to propose a oil and gas lease sale  
9     in my territory without the consent of our people. The laws  
10    are very explicit; all you have to do is read them. I did not  
11    graduate high school, nor did I ever go to college, but I can  
12    still understand it because I learned how to read by the time I  
13    was in third grade. And I've done a hell of a lot of studying  
14    because my life depends upon it, and so do the life of my  
15    children and those that are not here yet.

16            Try and look seven generations ahead of you and ask  
17    yourself what's going to be there for them when they get here,  
18    when it's their time to deal with this. And if you cannot come  
19    up with a good answer, then you'd better not do it because  
20    you're dumping on your kids, and they don't deserve that. They  
21    don't deserve to be dumped on like the United States has been  
22    dumping on them. They don't deserve to be dumped on like the  
23    State of Alaska has been dumping on them.

24            People's lives are at stake when you go and try and  
25    develop these so-called resources that are the vital organs of

1 our Mother Earth. They're not resources; they're vital organs.  
2 And without them, this Mother of ours will die. As many of you  
3 have already seen, the earthquakes, the tidal waves, the hurri-  
4 canes, all of these things are signs of purification. Our  
5 Mother is starting her purification.

6 Men, we have to go to a sweat lodge, a woman has her  
7 monthly moon to purify. How is our Mother Earth going to  
8 purify? How many of us are going to die because we have abused  
9 our Mother? How many of us are going to have to suffer because  
10 of the abuse of our Mother, the life-giver? She gave your  
11 life, and she gave mine. And if we protect her and keep her  
12 clean and healthy, she will grant many more people lives. But  
13 if things like this continue to happen, we are all guaranteed  
14 one thing, and that's death, at a much faster rate than Creator  
15 ever wanted it to be.

16 You have to live with yourselves, but I hope that you  
17 can sleep at night because what you're doing is you're killing  
18 millions of children around this Mother Earth of ours. By  
19 going over to Kuwait and protecting the Emir is one example.  
20 Supposed to be against dictatorships, but yet only when it  
21 doesn't have to do with oil and gas. The only reason the  
22 United States went to Somalia was because of oil and gas. It  
23 wasn't humanitarian aid. It had to protect the Saudi Arabian  
24 oil fields.

25 And now you're coming to my territory and trying to

1 tell me that you're going to allow multi-national energy corpo-  
2 rations who the United States subsidizes into my territory to  
3 kill me and pollute the lives of all of these animals, to  
4 pollute our food. That hurts. That shows how much you care  
5 about what gives you your life. We need assistance from  
6 Minerals Management Service to start protecting people and  
7 managing these minerals in an appropriate way so that the lives  
8 of our children will be healthy, so that they can have a good  
9 education.

10 People are afraid about indigenous people asserting  
11 their sovereignty. What they should be more afraid of is not  
12 recognizing their sovereignty. That's what they should be  
13 afraid of, not if they recognize us. Because this land and all  
14 of these buildings, the buildings are whoever built them. The  
15 land is ours to take care of; it was never for sale. And it's  
16 not for sale today, and it won't be sale for tomorrow (sic),  
17 nor a year from now -- or at least until I'm dead.

18 (Off record)

19 (Tape Change - Tape No. 2 of 2)

20 (On record)

21 BY MR. HARRISON (Continuing):

22 .....is that I want each of you to tell me, to start with, who  
23 makes the decision on these sales. Who is going to make the  
24 decision on this particular sale, on whether they're going to  
25 do it or not?



1 MS. GOTTLIEB: The decision will be made either by  
2 the Assistant Secretary or by the Secretary of Interior.

3 BY MR. HARRISON (Resuming):

4 Bruce Babbitt is the Secretary of Interior. The  
5 Assistant Secretary, they got many of them. But Deere Ada  
6 (sic) is in town today. Our tribal chairman and the matriarch  
7 of our village has had a meeting with her this morning. This  
8 is one of the issues that was discussed, as well as the protec-  
9 tion, the rights protection, of indigenous people in Alaska  
10 because the Interior Department is not doing their job. And  
11 their job, and their laws, says that they will uphold the  
12 United States Constitution.

13 And I just don't understand why you have not went to  
14 the villages and asked if they wanted this, in an election, in  
15 a vote, because without that, you have no authority. Without  
16 the consent of the villages in this area, you have no author-  
17 ity. There are five villages in this area that have come  
18 together and signed a treaty amongst ourselves. So it's not  
19 just Chickaloon you're dealing with. There's others that are  
20 like-minded. They may have a little different strategies, but  
21 the point is, oil and gas is obsolete.

22 And how many people are you going to kill for a  
23 dollar? What is the value of my kids? What price tag have you  
24 put on my children? Because, to me, there is no value because  
25 you cannot put a price on it. My children are not for sale,

1 not just so somebody can put a big bank account in some Swiss  
2 place or down in the Caribbean or wherever else they may want  
3 to try and hide their so-called fortune. 'Cause when you get  
4 sick, it knows no race.

5 So I hope that I have been able to touch your heart,  
6 to open your eyes, and clean out your ears so that you hear  
7 what is around you. I live in the country; I don't live in  
8 this place called Anchorage because I can't stand to hardly  
9 come here. It makes me sick to see all of this pollution.  
10 There are many alternate means to cut down on the need of oil  
11 and gas. With all of the reserves full to the brim, why do you  
12 need more? Put people to work instead doing something clean  
13 that will feed them, that will clothe them, that will house  
14 them. Oil and gas, you can't eat it, you can't drink it. The  
15 only thing you can get from it is sick.

16 So I will say some prayers for you to hope that you  
17 understand and that maybe the positions that are taken when you  
18 look at developing these so-called minerals that are vital  
19 organs of our Mother, that you will take a stronger stance for  
20 the protection of those that cannot speak or those unborn  
21 children that are yet to come, because those are the future.  
22 And remember, don't shit in your own back yard. This is mine.  
23 I want to keep it clean. And I cannot keep it clean if you  
24 don't assist me. Thank you.

25 MS. GOTTLIEB: Thank you. George, I believe you

1 signed up next.

2 **PUBLIC TESTIMONY OF MR. GEORGE MATZ**

3 My name is George Matz. I'm from Anchorage here.  
4 Nearly three years ago, Minerals Management Service held a  
5 workshop on environmental risks that they invited a number of  
6 people to from the local communities and fishermen, industry  
7 and environmentalists. And I participated in this representing  
8 the Anchorage Audubon Society, and it was a very good workshop.

9 There were some really outstanding consultants run-  
10 ning this, and one of the things that really stuck with me that  
11 came out of the workshop is they questioned how the EIS process  
12 is normally run by federal agencies. And they said, well, you  
13 know, what typically happens is you have all these technical  
14 people write this very technical document, but then they ask  
15 the public to comment on this. And they'll ask, you know,  
16 'What do you think about, you know, X number of ppm's on  
17 this -- or, you know, chemical as opposed to Y number of  
18 ppm's?' And most people don't really understand.

19 And you know, the -- what these consultants basically  
20 brought out is what an EIS should be doing is trying to get  
21 values from people instead of these very technical judgments on  
22 these very technical matters. And as I was thinking about what  
23 to say, I -- that really struck home to me because, you know, I  
24 know this whole EIS proce- -- this OCS process is very techni-  
25 cal and everything, and I certainly haven't bothered to keep up

1 with it or read all the stacks of papers or the Draft EIS, but  
2 I certainly have a lot of values that I think are important.  
3 And while I'm not able to tell you technically what should be  
4 done, I would like to express these values.

5 Let's see. I think, as you all know, this -- the  
6 area is really surrounded by some outstanding natural values  
7 and which is represented by the national parks and wildlife  
8 refuges and state parks in this whole area. And I think you  
9 also know that besides these high natural values, there's also  
10 a lot of risk to changing anything. There's -- or any kind of  
11 development in the area. Whether it be oil and gas or anything  
12 else, there's seismic risks, there's volcanoes, the ice in the  
13 Inlet, and, you know, all these things which I'm sure you're  
14 familiar with.

15 So given the high values and the high risks, you  
16 know, it doesn't seem to me that an oil lease is really appro-  
17 priate, and especially when you consider that this area is  
18 still suffering the stress from the Exxon Valdez oil spill, and  
19 then plus the fisheries are -- the fish harvesting has been a  
20 problem. When you add all these things together, it just seems  
21 inappropriate to even be considering this.

22 Well, let's see. Back at this workshop we had three  
23 years ago, they -- this was brought out also. And so I brought  
24 with me the final report that was done by the consultants, and  
25 they -- and some of the things they brought out, it was a

1 result of the people at the workshop and what they expressed  
2 regarding the -- any environmental risks and geological risks  
3 and everything else, pretty much are -- coincide with what I'm  
4 saying now. But I would like to read here what they mentioned:

5 "The risk management methods used by MMS should  
6 be state-of-the-art. Unfortunately, our conclu-  
7 sion, based on the background documents provided  
8 to us by MMS staff, as well as what we have  
9 heard from the workshop participants, is that  
10 current MMS risk management practices and the  
11 potential of what could be done as a major con-  
12 tributor to many of the problems now confronting  
13 the agency...."

14 Let's see. I -- let's see. I didn't read that right. Oh.  
15 Well, let's see. They mention a decline -- there's a decline  
16 in public confidence and trust, a decline in oil and gas  
17 industry confidence, and a decline in morale among MMS  
18 employees.

19 Well, that was the -- what the consultants wrote up  
20 three years ago, and as I've mentioned, I've -- you know, I've  
21 followed this issue with OCS oil lease sales in terms of the  
22 media. I haven't read all the documents and everything, but my  
23 values and my perception of how well these values are being met  
24 is things haven't changed much. You know, you read in the  
25 paper that tankers are -- their engines are failing in Cook

1 Inlet, and they're about ready to be washed up and -- on the  
2 beach, and there's just a -- just ongoing oil spills and toxic  
3 waste being spilled in the Inlet.

4 So, you know, I think it's -- you know, basically, I  
5 would -- the point I want to make is my values are that it's  
6 just that it's not at all conceivable to have an oil lease in  
7 this area. And my perception of the problems are that things  
8 haven't changed since the -- these consultants wrote this  
9 summary of this report three years ago. So that's all I have  
10 to say.

11 MS. GOTTLIEB: Okay.

12 MR. MATZ: Thank you.

13 MS. GOTTLIEB: Thanks for telling us that. Bob Wolf.

14 **PUBLIC TESTIMONY OF MR. ROBERT WOLF**

15 Hello. My name's Robert Wolf, P.O. Box 1125, Gird-  
16 wood, 783-2743. I'm here to represent UCIDA first off and  
17 myself second.

18 First, as representing UCIDA, the United Cook Inlet  
19 Drift Association, we've met frequently with MMS on this lease  
20 sale and given our input, and our input has always been that we  
21 would like to see no oil development north of our south line,  
22 which is the latitude of Anchor Point; 59-46-12 is our exact  
23 Loran line that we have to stay above.

24 In the past years, we've been losing more and more  
25 ground, drift area, where we traditionally have fished. Where

1 they fishery traditionally started, we've been losing more and  
2 more ground, and it's been pointed out in a few meetings that  
3 the bulk of our fishing activity doesn't take place near shore  
4 as much but in the middle of the Cook Inlet. We do fish in-  
5 shore, within three miles, when the State requires us to, but  
6 most, if not all, Cook Inlet fishermen prefer fishing in the  
7 middle of Cook Inlet. That's where the bulk of the fish are;  
8 we fish the tide rips, and that's where the tide rips are.

9 We have requested, a lot of times, to see that area  
10 north of 59-46-12 deleted from the sale. We've got the Alter-  
11 native 5; the coastal fisheries' deferral is one section, and  
12 you get a couple of shaded areas on the sides, but that middle  
13 of Cook Inlet is still up for lease. We're fairly disappointed  
14 to see that still up for lease, but obviously, when we look for  
15 where to go fishing, you go as close to the guy who's catching  
16 fish. Well, in Cook Inlet, they're pumping oil in the north,  
17 so we -- I'm sure they really want that northern part of this  
18 lease sale open.

19 With as much that goes on with these lease sales, I  
20 know you can't do everything; however, when you talk about  
21 managing the risks, reflecting back on things, the main risk,  
22 and most of the risk, is brunted by the commercial fishermen  
23 and the subsistence users and the sport or personal use people  
24 of the area. That is where the risk is.

25 If there is an oil spill, the risk for that first

1 year will fall on all user groups. There -- the possibilities  
2 of having to stay off of the Homer halibut grounds is there.  
3 The possibilities for the commercial fisheries to be halted  
4 completely, which has happened, exists. The possibilities of  
5 having contaminated subsistence or personal use foods defin-  
6 itely exists.

7           However, as time goes on, the risk still falls mostly  
8 on the commercial fishers. If you look at Prince William  
9 Sound, everybody says, 'Well, it's clean. There's no more oil  
10 washing up. We can go back to normal.' Well, yeah, they can  
11 go kayaking still and not see oil, and go recreational boating  
12 and not see oil. They can go halibut fishing and not see oil.  
13 However, which is one reason this lease sale had been delayed,  
14 was to find out what the effects of the Exxon Valdez oil spill  
15 was. And I think right now it's still at an early stage of  
16 information-gathering, you might say, as far as what damages  
17 have occurred.

18           Obviously, Prince William Sound is having trouble  
19 with their herring. What troubles that might have contributed  
20 will be argued until the next century. Likewise in Cook Inlet  
21 with the Cook Inlet sockeye run, I've had to definitely take a  
22 hard look at my business and say, 'Well, can I continue fish-  
23 ing, or do I need to sell out because there possibly will not  
24 be any fishing in 1996?'

25           Fortunately, the season last year was not a doomsday



1 season. I still had to make the moves to sell some fishing  
2 assets, a permit, to be able to, hopefully, continue to be in  
3 business this year. That Exxon oil spill is still affecting  
4 us. I mean, in that way is one. Another way is the Prince  
5 William Sound fishermen are no longer able to fish Prince  
6 William Sound. Well, they've got -- that has put more pressure  
7 on the Kodiak herring fishery. And I've been a participant in  
8 that fishery for 10 years, and it is very noticeable, the  
9 effects -- the economic effects of the Sound fishermen coming  
10 into the Kodiak area.

11 One example is in 1993, the Kodiak processors would  
12 not buy fish under 130-gram weight. However, after the Sound  
13 crashed that year, Icicle Seafoods came in and bought one  
14 entire district on small fish, which closed it to us local  
15 Kodiak -- quote, "Kodiak fishermen" to have any chance of  
16 harvesting of fish that were of value. There were Kodiak  
17 fishermen actually releasing those small fish 'cause their  
18 market wouldn't take it. But when the Sound fish came back,  
19 they ended up catching them, and Icicle bought them. Icicle  
20 isn't really a player down there, but if you're not buying fish  
21 in the Sound, you're going to look for some place to buy fish.

22 So this Exxon Valdez oil spill damage, and continuing  
23 damage, is still, I think, like I said, in the early stages and  
24 needs to be more documented by an environmental impact state-  
25 ment like this. I, for the -- I butchered over 130,000 pounds

1 of halibut myself in the past 12 years, and this year I fished  
2 off of Point Elrington and off of Prince William Sound, and  
3 it's the first time ever I've seen halibut with abnormal look-  
4 ing gonads.

5           There's a lot of things that could be cropping up  
6 that are related to the spill that we might not ever know  
7 about. With funding being cut, the federal government's out of  
8 the lawsuit, the State government's out of the lawsuit.  
9 They're not pouring much more into it. We had the Exxon Valdez  
10 Trustees Council, which is doing their work as best they can,  
11 but to start wanting to do another lease sale so close to this  
12 disaster is a little hard to take, and therefore, you know,  
13 you're running into a lot more opposition. And rightfully so,  
14 because the people at risk are the local people in the area.

15           And so for UCIDA, I would like to see that area of  
16 60-46-12 North still deleted from the sale tract. It'd be like  
17 putting an espresso stand in the middle of Seward Highway,  
18 where you have to dodge it. And you kind of know it's there  
19 coming up at 36th Street and you've got to dodge it, but it  
20 still is going to mess up your traffic pattern. And that's  
21 what our fishery -- we drift sometimes up to 10 miles of drift,  
22 and to have to pull up out of a good fishing set to jump over a  
23 half a mile to miss this oil rig is going to impact our  
24 fishery.

25           We've been impacted by oil development. I bought my

1 permit in 1987, and I've been locked in legal lawsuits with oil  
2 spills since that date. We had the Glacier Bay spill in 1987,  
3 and I've been a plaintiff ever since, unfortunately.

4 And then some more on my own personal views, as a  
5 victim of that spill and the Glacier Bay spill, we've taken the  
6 brunt of these mistakes -- the fishermen have. The Anchorage  
7 population per se, unless you're a fisherman or something,  
8 aren't really adversely affected by it economically. You might  
9 be outraged, but to be a fisherman and to have a season yanked  
10 out from under you and another season just totally thrown in  
11 disarray within two years of each other, personally, it gets  
12 really hard to take, and it's getting old.

13 We have Exxon with their same arrogant manner, and  
14 it's hard to -- as a citizen of the United States, to let my  
15 government give these oil companies a chance to do this to me  
16 again. It really -- it -- my salmon season is only one month a  
17 year. It's not a long time; however, that's the bulk of my  
18 income. I commercial halibut fish in Area 3-A, and that's also  
19 a bulk of my income. My herring income has been affected year  
20 after year, and it's -- it hits home.

21 And that's one place where I think these environ-  
22 mental impact statements should also look for a better view of  
23 what it might do had there be a spill (sic), is you need the  
24 input from the people who've been affected by spills in the  
25 past to find out what traumas, stresses, and things that have

1 affected their own personal lives. It's -- I've shared them  
2 with you before in other meetings.

3 So I think that to start your lease sale right now is  
4 still a little bit too close to the Exxon Valdez data-gathering  
5 stage. There's still no explanation on what exactly Prince  
6 William Sound herring is doing, from a 16,000-ton quota to a  
7 1,000-ton quota, and then a zero quota, something happened.  
8 Seeing abnormal looking halibut gonads made me wonder, espe-  
9 cially when that area was directly right there at the outlet of  
10 Prince William Sound where that oil went to.

11 There's a lot of unanswered questions yet, and I  
12 think that that needs to be definitely considered if you con-  
13 tinue this environmental impact statement further. And I think  
14 that's all I have.

15 MS. GOTTLIEB: Appreciate it.

16 MR. WOLF: Mm hmm (affirmative).

17 MS. GOTTLIEB: Thank you very much. Terry Burrell.

18 **PUBLIC TESTIMONY OF MS. TERRY BURRELL**

19 Thank you very much. I appreciate your coming and  
20 listening. I'm not just an Anchorage person, I consider myself  
21 a Matanuska Valley person, a Ninilchik person, a Seldovia  
22 person. I think most anyone that you talk to from Anchorage  
23 doesn't have interests all over Southcentral if not complete  
24 northern parts of the state, you're not just hearing from  
25 Anchorage.

1           My name is Terry Burrell. I would support 149. I've  
2       been here 36 years. I was part of the founding membership of  
3       Alaska Center for the Environment. I'm extremely concerned  
4       about how the federal government treats the resources, and I  
5       appreciate their stand that they have taken on hunting and  
6       protecting, trying to get a balance in the hunting venue. I  
7       also feel that we have a balance here on the oil discovery  
8       also.

9           When the Exxon Valdez spill hit, I sent my entire  
10      monthly social security tax -- check to protect Seldovia Bay.  
11      The social security is small, but it was well earned. When --  
12      in the '70s, when I was trying to make it on my own -- I'm  
13      post-polio syndrome now, but I went without heat and food in  
14      order to stay in my home. And the government then was asking  
15      12 percent on top of your -- it didn't matter if you had enough  
16      for your house, it was 12 percent straight for self-employed  
17      people for social security.

18           So I figure my social security check had really good  
19      meaning to send it so that we could protect the bay there. And  
20      I also, during a period of time, I guess you could call me a  
21      subsistence person because I ate freezer throw-away salmon sent  
22      over for my dogs. I've never asked for welfare or food stamps.

23           The drug and alcoholic problem is something that is  
24      really tearing us apart. It -- the -- our non-Alaskan, our  
25      non-U.S. Chickaloon Village speaker who says that besides he's

1 fighting for sovereignty, he spoke of the concern for chil-  
2 dren's health. His thrust should have been to stop alcohol,  
3 drugs, and illegitimacy among his children, his very young  
4 children. Millions of dollars in land claims and still mil-  
5 lions of dollars in food stamps, Medicaid, welfare, energy  
6 assistance, drug rehabilitation pour in from the State and the  
7 U.S. government.

8 The State spends more to regulate our very important  
9 departments, such as Fish and Game, Mining, Minerals, Timber,  
10 and none of these other industries break even to support their  
11 own departments. Oil and gas, the profits from oil and gas  
12 come in and make these very important regulatory agencies  
13 viable. We wouldn't have the money to protect our other indus-  
14 tries if we don't have the oil and gas money.

15 Hatcheries are greatly supported by oil and gas  
16 revenues. If it didn't come directly from the oil and gas, you  
17 have grants. You've had large grants that have come in to  
18 establish these hatcheries. I'm all for upgrading and making  
19 our fisheries a sustainable and growing industry, but when you  
20 talk about 85 percent of all state revenues come from oil and  
21 gas, and this is based on the 90-percent State royalty/10-per-  
22 cent federal government.

23 You also need to know that 30 percent of every  
24 Alaskan's income was paid by oil and gas, the -- another lar-  
25 gesse that comes from the federal government. I would like for

1 you to refer to the ISA (ph) Report, University of Alaska. I  
2 don't have to ever expect to donate another social security  
3 check because of the tremendous changes in safety regulations,  
4 with the emphasis on prevention of violations and preventions  
5 of spills.

6 The close-in leases that you're talking about, you  
7 have the ability to contain, to prevent, all of these measures.  
8 We've been drilling for 30 years. In 1969, you could have said  
9 no to ANWR. You can't say no now because of you need to have  
10 reasonable sustainable development. The fishermen have,  
11 because of the oil industry, had low-income loans, tremendously  
12 low-income loans. They have had years where they don't have to  
13 pay anything because the fish has been -- and this was before  
14 the spill -- because the fish harvest was up or it was down, or  
15 it was whatever. The State has forgiven, a lot of years, for  
16 them to be able to keep their boats.

17 They also -- many of them I know of claim food  
18 stamps. And everybody collects a thousand dollars or more per  
19 family member. I think 60-48 North can be developed. I think  
20 that money to buy permits comes from oil. The oil spill set-  
21 tlement paid thousands of dollars to each and every fisherman  
22 for work that they didn't do based on past performances.

23 So I really feel that Alaska, financially, has not  
24 only been made whole, but it has been able to grow and to not  
25 only subsist -- I mean, I don't really personally feel that

1 there is a true subsistence in Alaska. If you take away your  
2 food stamps, your energy assistance, your welfare checks, take  
3 all of that away, and then say, 'Okay. Now, subsist.' True  
4 subsistence does not exist in Alaska. We are an oil economy.

5 We need to stop the interception of Alaskan stock,  
6 salmon stock, fisheries, in the open sea. I believe that we  
7 have had a causal decline because of the problems of other  
8 states, Japan, before we had the 200-mile limit, even the  
9 violations here. Where is your regulation going to come from  
10 then -- there?

11 I really support the -- your program because I feel  
12 that it is not only do-able, but it is safe, and heavens, it is  
13 totally necessary. Thank you.

14 MS. GOTTLIEB: Thank you very much, Terry. And  
15 George Schmidt.

16 MR. SCHMIDT: Did you call me?

17 MS. GOTTLIEB: Yes, George.

18 MR. SCHMIDT: I can't hear very well.

19 MS. GOTTLIEB: Yes.

20 **PUBLIC TESTIMONY OF MR. GEORGE SCHMIDT**

21 My name is George Schmidt, and I've been a resident  
22 of Alaska since 1948 and a continuous resident of Anchorage  
23 since 1962.

24 Is it all right if I read this?

25 MS. GOTTLIEB: That'd be perfectly fine.



1 BY MR. SCHMIDT (Resuming):

2 I favor scheduling sale of the acreage in lower Cook  
3 Inlet and northwest Shelikof Strait. Declining production in  
4 the United States with respect to imports would seem to dictate  
5 doing everything reasonable to restore the balance. Currently,  
6 we import over 50 percent of our petroleum needs. We don't  
7 know if there's petroleum in the area. Before locking it away,  
8 however, prudence would dictate that we find out.

9 There will always be some risk in petroleum extrac-  
10 tion. There is risk in nearly everything. But the U.S. has  
11 one of the safest records, a record that improves every year.  
12 If we insist on importing more and more oil without exploring  
13 our own potential basins, we will justify the term "pollution  
14 exporters." Our record is good. Let us help it to become  
15 better by exploring this high-potential area.

16 Thank you.

17 MS. GOTTLIEB: Thank you.

18 (Pause)

19 MS. GOTTLIEB: Is there anyone else who would care to  
20 testify?

21 (Pause)

22 **PUBLIC TESTIMONY OF MR. KEVIN TABLER**

23 Yes, thank you. My name is Kevin Tabler; it's T-a-b-  
24 l-e-r. I'm the Land Manager for Union Oil Company of Califor-  
25 nia, and I've got a few prepared comments, and I've provided

1 written comments for you that I might have.

2 Union Oil Company of California appreciates this  
3 opportunity to comment on the Minerals Management Service Draft  
4 Environmental Impact Statement and proposed notice of sale for  
5 Cook Inlet Sale 149.

6 The MMS is to be commended on its thorough investiga-  
7 tion and analysis of the potential socioeconomic and environ-  
8 mental impacts that the Cook Inlet sale would have on the  
9 surrounding community and on the Inlet itself. We are nearing  
10 the final stages of a very lengthy, exhaustive, and very expen-  
11 sive identification process which has begun many years ago.

12 The subsequent 1992 call for information and nomina-  
13 tion requested information which was used to identify potential  
14 conflicts in the coastal management plans. Environmental  
15 concerns, mitigating measures, lease terms, stipulations, and  
16 conditions were all to be identified. Comments were received  
17 at that time from industry, State of Alaska, federal agencies,  
18 environmental groups, fishing groups, local and area represen-  
19 tatives, and, of course, private citizens.

20 Numerous workshops and scoping community meetings  
21 with groups having a vested interest were conducted throughout  
22 the region to inform the public and to gather comments on the  
23 proposed sale, with more of those planned meetings held this  
24 month. All this data was collected and forms the basis of the  
25 Draft EIS. Relevant comments and concerns expressed have been

1 addressed in the Draft EIS, resulting in a significant reduc-  
2 tion in the sale area.

3 My point being, a very comprehensive review has been  
4 conducted, confirming that the 30 years-plus history of oil and  
5 gas exploration and production has not only been compatible  
6 with multiple use of Cook Inlet, but has indeed been an  
7 extremely critical component in communal development, socioeco-  
8 nomic enrichment of the area. Many environmental studies have  
9 been conducted over the years on the hydrology of Cook Inlet  
10 and on the impact of oil and gas industry discharges in Cook  
11 Inlet. These studies have concluded that no adverse environ-  
12 mental impact has occurred.

13 I've attached to my comments a copy of three of the  
14 most recent Cook Inlet studies, each evaluating different  
15 parameters, conducted by Union Oil Company of California,  
16 Marathon Oil Company, CIRCAC, the Citizens Advisory Council,  
17 and, of course, one that you're very familiar with, the MMS  
18 study. All three are positive confirmations of the good health  
19 of Cook Inlet. Not only has Cook Inlet not experienced envi-  
20 ronmental degradation, but users of the Inlet have invested in  
21 a spill response cooperative, and this is CISPRI, located in  
22 Cook Inlet and employing the most sophisticated oil spill  
23 response equipment, manpower, and training available.

24 Oil and gas resources in the state of Alaska play an  
25 important role in the energy policy of the United States. Oil

1 and gas exploration and development in Cook Inlet has had a  
2 significant positive fiscal impact on the state of Alaska and  
3 local municipalities and communities. There is no indication,  
4 in 30 years-plus of oil industry operations within the Cook  
5 Inlet basin, of any harmful effects to fish and wildlife and  
6 their habitats, or human use for subsistence, recreation, or  
7 commercial exploitation.

8 Lease stipulations, mitigating measures, and condi-  
9 tions derived through the EIS process will ensure adequate  
10 safeguards exist to protect the environment and provide for  
11 responsible oil and gas development. We therefore encourage  
12 the evaluation process to continue, culminating in the best  
13 interests of the people of the United States by holding Cook  
14 Inlet Sale 149 on schedule.

15 And I thank you.

16 MS. GOTTLIEB: Thank you, Kevin. Is there anyone  
17 else who wants to testify?

18 (No audible response)

19 MS. GOTTLIEB: Well, I suggest we break for about 10  
20 minutes then. Thank you.

21 (Off record at 4:20 p.m.)

22 (On record at 5:00 p.m.)

23 MS. GOTTLIEB: We'll reopen the hearing, and we have  
24 one more person who would like to testify. Paul?

25 **PUBLIC TESTIMONY OF MR. PAUL HOHENLOHE**

1           Okay. My name is Paul Hohenlohe. I work with the  
2 Wilderness Society, the Alaska Regional Office of the Wilder-  
3 ness Society here in Anchorage. And the Wilderness Society, at  
4 least in our Anchorage office, focuses mostly on federal lands  
5 within the state, so that offshore oil leases are not normally  
6 in our field of attention. But we feel that this particular  
7 lease sale plan would have a serious impact on many federal  
8 areas, including several national wildlife refuges and national  
9 parks along the shoreline.

10           The impacts of oil development have been felt in  
11 other areas with the inevitable small oil spills and the cumu-  
12 lative effect on the adjacent ecosystem of those oil spills.  
13 Even the planning for this lease sale accepts that there will  
14 be some small oil spills associated with it. And we feel that  
15 this lease sale could have a detrimental effect on the ecosys-  
16 tems of the national wildlife refuges and national parks which  
17 are adjacent to the area.

18           So therefore, we have some serious reservations about  
19 this oil and gas lease sale.

20           MS. GOTTLIEB: Okay. We appreciate you coming out  
21 this afternoon, and.....

22           MR. HOHENLOHE: Okay.

23           MS. GOTTLIEB: .....thank you very much.

24           MR. HOHENLOHE: Thanks.

25           MS. GOTTLIEB: Okay. We'll close. Thanks, Paul.

1 (Whereupon, the proceedings in the above-entitled  
2 matter were adjourned at 5:10 p.m.)  
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C E R T I F I C A T I O N

STATE OF ALASKA )  
THIRD JUDICIAL DISTRICT ) ss.  
\_\_\_\_\_ )

I, **CINDY S. CARL**, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl  
Cindy S. Carl  
Certified Court Reporter

DATE: 3/21/95





1 DEPARTMENT OF THE INTERIOR  
2 MINERALS MANAGEMENT SERVICE  
3  
4

5 OFFICIAL TRANSCRIPT  
6

7 PUBLIC HEARING  
8

9 COOK INLET SALE 149  
10  
11

12 Kenai Merit Inn  
13 Kenai, Alaska  
14

15 Monday, March 6, 1995  
16 7:00 o'clock p.m.  
17

18 MMS PANEL MEMBERS  
19

20 Mr. Bob Brock  
21 Regional Supervisor, Leasing and Environment of the  
22 Alaska OCS Region  
23 Mr. Barry Boudreau  
24 Regional Supervisor for Field Operations  
25 Dr. Ray Emerson  
DEIS Project Leader, Leasing and Environment Office

Proceedings recorded by electronic sound recording. Transcript  
produced by transcription service.

KENAI, ALASKA - MONDAY, MARCH 6, 1995

(On record at 7:05 p.m.)

(Tape No. 1 of 1)

MR. BROCK: Good evening, and welcome to the hearing on the Draft Environmental Impact Statement for the Proposed Federal Oil and Gas Lease Sale No. 149 in the Cook Inlet. The area that's discussed in the Environmental Impact Statement is shown on this map behind me. And I have a few comments to make before we get started with the public hearing.

My name is Bob Brock. I'm the Regional Supervisor for Leasing and Environment of the Alaska OCS Region of the Minerals Management Service in Anchorage. Other panel members include Mr. Barry Boudreau, who is the Regional Supervisor for Field Operations in Anchorage, and Mr. Ray Emerson, the Project Leader for this Draft Environmental Impact Statement.

This is actually the third hearing on this proposal. We held a teleconference last Friday morning with the town of Seldovia, and then we held the Anchorage public hearing last Friday afternoon. Besides this one, there will be two more hearings, one in Homer tomorrow night and one in Kodiak the next night.

The purpose of the public hearings is to receive views and comments and suggestions of interested individuals and representatives of local government and organizations on

1 the Draft Environmental Impact Statement. The Draft Statement  
2 covers approximately 2 million acres which is being considered  
3 for leasing, or about 37 percent of the entire planning area.  
4 The major goal of this sale, in accordance with the Outer  
5 Continental Shelf Lands Act, is to find out more precisely what  
6 are domestic energy supplies are, where they are located, and  
7 allow them to be produced where it is possible to do so in an  
8 environmentally safe manner.

9 We have the responsibility to fulfill the mandates  
10 set out in the Outer Continental Shelf Lands Act and its imple-  
11 menting regulations. In doing so, we strictly observe all of  
12 the requirements of the National Environmental Policy Act, the  
13 Endangered Species Act, the Marine Mammals Protection Act,  
14 Coastal Zone Management Act, and the Oil Pollution Act. In  
15 addition, the Minerals Management Service has in place a host  
16 of regulations and operating rules that are designed to assure  
17 continued safe and clean offshore oil and gas activities.  
18 There are many additional safeguards that I won't go into  
19 detail today.

20 Discharges from oil and gas exploration and produc-  
21 tion activities will be subject to the Environmental Protection  
22 Agency's national pollution discharge elimination system,  
23 commonly referred to as NPDES permits. Under a local memoran-  
24 dum of agreement between MMS and the Environmental Protective  
25 Agency, MMS has agreed, on federal platforms, which are three

1 miles or further offshore, to conduct all the NPDES permit  
2 compliance inspections on OCS facilities in conjunction with  
3 normal drilling and production inspections.

4 Under this agreement, the MMS collects samples of  
5 discharges and provides them to EPA for independent analyses.  
6 MMS has been conducting these compliance inspections in federal  
7 waters in Alaska since 1989. We are aware that EPA recently  
8 fined companies in upper Cook Inlet for violations of the  
9 permit conditions related to discharge that exceeded permit  
10 levels, mostly for sanitary and domestic waters (sic), but also  
11 for some oil and gas -- oil and grease discharges.

12 The MMS recently completed a water quality study in  
13 Cook Inlet which examined hydrocarbon concentrations in the  
14 water, sediments, and mussels and found no evidence of hydro-  
15 carbon contamination. The MMS study did not look for  
16 contaminants related to sanitary and domestic waters (sic).  
17 However, the study did perform sensitive life stage bioassays  
18 which indicated no harmful levels of contaminants in general.  
19 These study results are discussed in the Draft EIS, and the  
20 final report is available.

21 This Draft Environmental Impact Statement represents  
22 approximately three years of preparation, which included such  
23 actions as the call for information, area identification, and  
24 scoping. You have been a part of this process through your  
25 earlier comments, and are being asked once again to give us

1 your comments on this document. The Environmental Impact  
2 Statement is a very important element in the discussion  
3 process -- decision process. The law requires considerable  
4 consultation with the Governor to balance national needs with  
5 the well-being of local citizens.

6 We want everyone here to understand that MMS does not  
7 take this proposal lightly and that we approach all leasing  
8 decisions very cautiously and carefully. For example, as a  
9 result of the public input directly from people like your-  
10 selves, the MMS deleted a majority of the Shelikof Strait  
11 portion of the planning area, which included 358 blocks, or  
12 almost 2 million acres.

13 Also, the 149 Draft EIS contains mitigating measures  
14 for the first time that have been made part of the proposed  
15 action at this very early decision process, which was a sugges-  
16 tion made at previous public hearings right here in Alaska.  
17 There are also additional potential mitigating measures  
18 analyzed in the EIS.

19 Another example of our attempts to bring more respon-  
20 sive -- of being more responsive to public input is that  
21 concurrent with the release of the Draft Environmental Impact  
22 Statement for Sale 149, the proposed notice of sale is also  
23 available at this time for comment. In the past, the proposed  
24 notice of sale was provided after the release of the Final EIS.  
25 This time, it's released with the Draft, which would show how

1 the notice of sale would look based on the information in the  
2 Draft EIS.

3 I will call today's speakers in the order which they  
4 have registered, and if you wish to speak but have not already  
5 registered, please register with Dick Roberts, walking up this  
6 way. He's normally sitting back by the door. We have just a  
7 few rules I'd like you to follow to ensure that the public  
8 hearing runs smoothly.

9 Please state your name, address, and the organization  
10 or agency which you represent. We would like to have this  
11 information properly recorded in the transcript. And we'd like  
12 for you to hold your comments down to about 10 minutes or less.  
13 If you have prepared written testimony, please give a copy to  
14 the court reporter, sitting over here to my far right.

15 An official recorder will make a verbatim transcript  
16 of the hearing. Everything that is spoken during the hearing  
17 will be recorded. Copies of the transcript will be available  
18 through Mr. Robert Carl, who is our recorder, of Executary  
19 Court Reporting Services, and his phone number is area code  
20 (907) 272-4084.

21 The purpose of this hearing is to improve the quality  
22 of our Environmental Impact Statement before it is put in final  
23 form. Speakers will not be questioned unless a member of the  
24 panel wishes to clarify some information or obtain additional  
25 information. We are interested in understanding your views

1 about this Draft Environmental Impact Statement.

2 The comment period for this document closes on April  
3 19th, 1995. Until that time, the MMS will accept comments and  
4 statements from anyone who would prefer to make a written  
5 comment rather than oral. These written comments and state-  
6 ments should be sent to our address, and Mr. Dick Roberts back  
7 there will be able to provide you with that if you see him on  
8 your way out. Remember, all comments have to be received by  
9 April 19th, 1995.

10 With that, I'd like to start our public hearing, and  
11 our first person is Mr. Mayor, Don Gilman.

12 (Pause)

13 **PUBLIC TESTIMONY OF MAYOR DON GILMAN**

14 Thank you, Mr. Chairman. For the record, my name is  
15 Don Gilman, Box 2941, Kenai 99611, is my home address. My  
16 business address is 144 North Binkley Street, Soldotna 99669.  
17 I'm Mayor of the Kenai Peninsula Borough, and tonight I will be  
18 speaking as the Mayor of the Borough.

19 We will be submitting to Minerals Management Service  
20 written comments, written analysis, of the Draft EIS, and we  
21 have a group of people that are working on that. And it will  
22 take us some time because that will go to our Planning Commis-  
23 sion, and they will review it in a public meeting and approve  
24 the statement or the analysis that will be sent to MMS.

25 I'd like to thank you for the public process that has

1 taken place in both this Lease Sale 149 -- I think it's far  
2 improved from what we have had in the past. You have held a  
3 number of meetings, informational meetings, educational meet-  
4 ings, whatever you want to call them, throughout the Borough  
5 and in Kodiak for the last two years, that I'm aware of.  
6 Unfortunately, you did not have too many people attend those  
7 meetings, but nevertheless, there was a good deal of informa-  
8 tion disseminated and has been circulated throughout the  
9 community.

10 Sometime in the latter part of 1993 -- and I'm not  
11 sure, I don't have the documents in front of me this evening; I  
12 know you have them on file -- the Kenai Borough Assembly took a  
13 positive position on Lease Sale 149. And it was done in con-  
14 junction with and in tandem with the Kodiak Island Borough and  
15 the Lakin Peninsula Borough. I believe it was referred to as  
16 the Tri-Borough Position. And that position has not changed  
17 since that time. Essentially, it's a position that encourages  
18 the Lease Sale 149 to proceed provided that -- and I believe  
19 there were three comments, caveats, in the resolution.

20 One, that all areas of environmental sensitivity be  
21 identified in the -- or adjacent to sale areas through a scien-  
22 tific method, which you, in my opinion, have done in the EIS.  
23 Secondly, that there be no loading platforms allowed, and the  
24 stipulations very clearly that there be no offshore loading  
25 facilities be allowed in any development stage. And third,



1 that we encourage the MMS, Department of the Interior, to help  
2 the communities develop, with and through Congress, a method  
3 where the communities shared the resour- -- or the financial  
4 resources directly, rather than as it is now where the State  
5 receives some of the funds and the communities sometimes do and  
6 sometimes don't get a direct share of those proceeds.

7 Having attended the recent OCS Advisory Council  
8 meeting in Virginia last November, it is my opinion that that  
9 is being worked on, at the Congressional level as well as  
10 supported by the Department of Interior. So that -- whether  
11 that resolution had anything to do with that position or not,  
12 we'd like to think it did, but whether it did or not, I guess,  
13 is arguable. But that is one of the items that is being worked  
14 on.

15 I would prefer to let the public have their comments,  
16 so I won't take any more time. Again, I'd like to thank you  
17 for this process. We're -- as you know, we're moving -- doing  
18 a little different in the next five-year plan where there's a  
19 broadening of this public process into what's called a stake-  
20 holders' forum that will address lease sales of post- and --  
21 pre- and post-lease sale with a broader forum type, which we  
22 encourage. We feel it's superior even to the process that you  
23 have used for Lease Sale 149.

24 So with that, unless there are some qualifying -- or  
25 questions that I can answer, I again thank you for coming to

1 the community. I know you're going to Homer tomorrow night,  
2 Kodiak Wednesday, and I'm not sure where else.

3 MR. BOUDREAU: No questions.

4 MR. BROCK: Thank you, Mayor. It's always a pleasure  
5 to come to Kenai, and we really appreciate your -- working with  
6 you on this effort.

7 MAYOR GILMAN: Okay. Thank you.

8 MR. BROCK: Loren Flagg.

9 (Pause)

10 **PUBLIC TESTIMONY BY MR. LOREN FLAGG**

11 Thank you for allowing this opportunity. My name is  
12 Loren Flagg. I represent the Kenai Peninsula Fishermen's  
13 Association. My address is Box 3268, Soldotna 99669.

14 Again, I really appreciate the public process that  
15 MMS/BLM has gone through. It's so much better than what we've  
16 experienced with the State in recent years, especially over  
17 Lease Sale 78, and we've certainly had full opportunity to  
18 participate.

19 I'm going to do a combination here of a quick read of  
20 very short comments that we already have on record, and then  
21 I'm going to ad lib a little.

22 The Kenai Peninsula Fishermen's Association is a  
23 group of over 400 commercial fishermen operating in the Cook  
24 Inlet area, and they do have concerns with Lease Sale 149.  
25 Part of the lease sale area being considered is in the heart of

1 the Cook Inlet salmon gillnet fishery, which takes place north  
2 of the latitude of Anchor Point. Also, parts of the proposed  
3 lease area between Kalgin Island and Cape Douglas are in areas  
4 that have been identified as hazardous to important or critical  
5 fish and wildlife resources by the Alaska Department of Fish  
6 and Game.

7 KPFA is concerned with leasing in these areas due to  
8 both the conflicts that will arise between commercial fishing  
9 and the oil industry operations and the high resource risks  
10 that are involved. If the decision is made to hold the sale,  
11 then we recommend these following stipulations:

12 That no seismic activity or drilling be permitted in  
13 the areas described above between May 1 and August 30. This  
14 restriction will help avoid physical conflicts within the  
15 fishing area and also reduce the risk of a fishing closure  
16 resulting from pollution caused by the oil industry. From  
17 strictly a biological standpoint, this proposed seasonal  
18 restriction is also justified. Critical life forms of com-  
19 mercially important fish and shellfish are present in high  
20 abundance in the marine waters of Cook Inlet during the May 1  
21 through August 30 period.

22 If drilling does eventually take place on any of the  
23 tracts within the proposed lease sale, and development takes  
24 place, we would strongly encourage zero discharge. The zero  
25 discharge is now being used in the Gulf of Mexico in critical,

1 important areas, and we think the time has come for Cook Inlet.

2 Would it be appropriate for me to ask one question?

3 Is that okay?

4 MR. BROCK: Yes.

5 MR. FLAGG: In a nutshell, I was wondering why the  
6 Shelikof area was deleted from the sale. Was it because of the  
7 biological sensitivity or the commercial fishery in the area  
8 or.....

9 MR. BROCK: The Secretary made that decision after a  
10 trip up, and I couldn't tell you all the reasons that went into  
11 it. I don't -- that was a decision by the Secretary.

12 BY MR. FLAGG (Resuming):

13 Okay. Just a few other things. We think that tech-  
14 nology now exists throughout the world to do it right, but that  
15 not all that technology has come to Cook Inlet. And that is  
16 the reason we're asking things like the zero discharge. It  
17 certainly can be done.

18 No surface entry. Again, there are technologies that  
19 sub-sea wells can be utilized. You don't have to have plat-  
20 forms out there in the commercial fishing area. Sub-sea wells  
21 are used in other parts of the world.

22 Buried pipelines. Certainly if there are going to be  
23 pipelines, they can be, and should be, buried.

24 I think that's -- I'm trying to read here from my  
25 notes. I think that's the main points I wanted to make. There

1 was one final one that if production does eventually take  
2 place, if a find is made, that -- and I believe this is consis-  
3 tent with the Tri-Borough Resolution that the Mayor mentioned.  
4 I believe this was added to that, that during the transporta-  
5 tion phase that a requirement be put in there that -- for tug  
6 escorts.

7 Right now we have no tugs in the Inlet that are  
8 capable of assisting a tanker, a laden tanker, in distress. If  
9 a tanker loses power or steering, there is absolutely no help  
10 within a reasonable time frame. It would have to come from  
11 Valdez. They have the only tractor tugs that would be -- have  
12 this kind of capability. So we'd ask that that requirement be  
13 put in, that if, in fact, as part of this, production take  
14 place from the sale.

15 Thank you very much.

16 MR. BROCK: Thank you, sir. Any questions?

17 MR. BOUDREAU: No questions.

18 MR. BROCK: Thank you, Loren.

19 MR. FLAGG: Thank you.

20 MR. BROCK: Mr. Matthews.

21 **PUBLIC TESTIMONY OF MR. THEO MATTHEWS**

22 Good evening. My name's Theo Matthews. I reside at  
23 Mile 5.3 Kay Beach Road in Kasilof, Alaska; Box 69, Kasilof.  
24 I'll be speaking tonight for two organizations. First, I'll be  
25 speaking as the Vice President of the United Fishermen of

1 Alaska. UFA is comprised of 21 regional fishing associations  
2 from Ketchikan through Bristol Bay. With respect to the  
3 affected fishing area that we're talking about tonight, we have  
4 members in Prince William Sound, lower and upper Cook Inlet,  
5 and Kodiak.

6 UFA opposes this sale in its entirety. The reason is  
7 simple and direct. A long discussion was held at our recent  
8 Board meeting in February. There was simply no rationale we  
9 could understand why the Shelikof Strait area was deleted due  
10 to fisheries -- sensitive fisheries areas and those other  
11 concerns, whereas the Cook Inlet area was maintained in the  
12 sale. Cook Inlet is every bit, if not more, fisheries sensi-  
13 tive as the same area.

14 Another reason that UFA opposes the sale in its  
15 entirety is that many of the affected resources from the Exxon  
16 Valdez oil spill are still in the recovering stage and have a  
17 long recovery to go. This includes not only the affected  
18 resources like sockeye salmon in Kodiak and Cook Inlet, but  
19 also our concerns about marine mammals, steller sea lions and  
20 whatnot on the Kenai Fjords.

21 So UFA's position is not one of opposing oil per se,  
22 it's that if Shelikof Strait was going to be deleted, there is  
23 no rationale for leaving in upper Cook Inlet. That was their  
24 Board -- that Board position.

25 Now I'd like to comment as Executive Director of

1 United Cook Inlet Drift Association. I also hold a commercial  
2 salmon drift permit myself. UCIDA appreciates the long process  
3 that you've set up for this. We have had a Board member, Mr.  
4 Bob Wolf, that's been working with the marine -- MMS for four  
5 or five years. And we really do understand the effort you've  
6 put in, and we've tried to reciprocate. So we appreciate that.

7 Our concerns with respect to the Federal Lease Sale  
8 149 are very similar to the ones you've heard about the State  
9 Lease Sale 78. There is, in our opinion, a gross -- there's a  
10 major problem with the idea that you can attempt to minimize  
11 impacts to commercial fishing and, at the same time, prevent  
12 undue interference. I mean, you just cannot do it.

13 Our concern is for the stationing of a fixed platform  
14 on the fishing grounds. The mere stationing of that platform  
15 on the fishing grounds is undue interference. It cannot be  
16 mitigated. And that's the problem we have with this sale and  
17 others.

18 (As an aside) Is there something wrong?

19 Therefore, we've adopted the following position with  
20 respect to Sale 149, which is consistent with our position with  
21 the State Sale 78:

22 We feel that there should be no surface entry, i.e.,  
23 no stationary production platforms. Production can be accom-  
24 modated through bottom wells and pipelines to shore. I mean,  
25 we have discussed this technology with the industry.

1           Now, to get the oil to shore, you have to have a  
2 pipeline. Now, we really feel you must have a mitigation  
3 measure that requires buried pipelines. There is no alterna-  
4 tive to this. For salmon fishermen, it's not such a big deal  
5 in terms of gear conflicts, but when you get into halibut and  
6 crab pots, whatnot, they simply could not cope with a pipeline  
7 above the surface. So it's needed from that point of view.

8           The other point is similar to the one referenced by  
9 Mr. Flagg. The oil industry in Cook Inlet is fighting the  
10 requirement for tug escort vessels. They're stipul- -- they  
11 simply state that, 'We don't need them; we can drop anchor.  
12 You know, if we lose power, we can drop anchor.' Well, I'd  
13 just submit to you that you drop anchor on a pipeline, and  
14 you've got problems. It better be buried and buried deep. And  
15 that's just common sense.

16           And the final concern that I'll mention deals with  
17 the liability question. Now, whether you have, as we would  
18 suggest, no surface entry, but a well on the bottom that's  
19 piped to shore, or if you have a platform, we have the liabil-  
20 ity question: What happens when you have a spill?

21           Now, with respect to commercial fishing, it's inevi-  
22 table that a spill will happen; we have no doubt about it.  
23 Your own document more or less says the same. It's also inevi-  
24 table that if it happens at the wrong time, the quantity of oil  
25 is almost immaterial. Our commercial drift fishery will be



1 terminated, especially in the areas we're considering here.

2 So therefore, the question of liability is very vital  
3 to our membership. The Oil Pollution Act of 1990 has -- limits  
4 the liability of processors. It forces commercial fishermen to  
5 either elect to go through the federal process and give up  
6 access to courts or go through courts and give up access to the  
7 federal process.

8 So what I would suggest as a mitigation term is one  
9 that would require lessees -- since you know and I know that if  
10 a spill happens in the wrong time, your document states there  
11 will be loss of commercial fishing income, something similar to  
12 the voluntary Exxon Payment Program that we established should  
13 be a mitigation term. Producers should agree that in the event  
14 of a spill when commercial fishing time is lost, there will be  
15 a voluntary program that will send out rather rapid payments to  
16 allow people to continue with their lives -- to meet their boat  
17 payments and their permit payments.

18 I understand this is going a little afield, but this  
19 is the core of many concerns. A spill is inevitable; lost  
20 fishing income is inevitable. A mitigation term must take  
21 account to that.

22 And also, if there are production platforms on the  
23 ground, I mean, I assure you there is 100-percent certainty  
24 there will be gear conflicts, nets wrapped around the platform,  
25 fishing time lost. You also need a mitigation term to deal

1 with that.

2 I mean, I sincerely hope that the terms would require  
3 no surface entry, buried pipelines, and if the industry can  
4 cope with that, all these problems are resolved. I thank you  
5 for the opportunity to comment.

6 MR. BROCK: I have one question, sir.

7 MR. MATTHEWS: Sure.

8 MR. BROCK: During -- no surface entry, in -- it's  
9 you -- this is just for my own clarification. Does that mean  
10 that no platform would be out there for drilling either? I can  
11 understand what you mean by no platform out there.....

12 MR. MATTHEWS: Oh.

13 MR. BROCK: .....for sub-sea completion.....

14 MR. MATTHEWS: Certainly.

15 MR. BROCK: .....but I'm having a hard time with.....

16 MR. MATTHEWS: Yeah.

17 MR. BROCK: .....not -- I don't know where you could  
18 drill from. I mean, I.....

19 MR. MATTHEWS: I appreciate the distinction. And we  
20 understand that exploration wells and all that will have to be  
21 done.

22 MR. BROCK: Oh, okay. Okay. I under-.....

23 MR. MATTHEWS: Yeah, this is a production.....

24 MR. BROCK: Oh, you're talking about a production  
25 facility.

1 MR. MATTHEWS: Production sequence.

2 MR. BROCK: Okay. That's.....

3 MR. MATTHEWS: Yeah. We can -- there's no doubt we  
4 can find times to accommodate exploration and all that.....

5 MR. BROCK: Okay.

6 MR. MATTHEWS: .....stuff. I mean, I don't have any  
7 doubt about that.

8 MR. BOUDREAU: I have a question also, Mr. Matthews.

9 MR. MATTHEWS: Certainly.

10 MR. BOUDREAU: You were mentioning buried pipelines.

11 MR. MATTHEWS: Mm hmm (affirmative).

12 MR. BOUDREAU: Are you also recommending, in conjunc-  
13 tion with that, that all sub-sea wellheads be below the mud  
14 line?

15 MR. MATTHEWS: Well, there, Mr. Chairman.....

16 MR. BOUDREAU: Or not?

17 MR. MATTHEWS: .....we did have a discussion with  
18 some ARCO representatives on what was possible with respects to  
19 sub-sea wells and pipelines. It was our understanding that  
20 they couldn't really do that. So you'd sort of have a singu-  
21 larity point that if you hit it, you'd be in trouble. But if  
22 you didn't bury that pipeline, you've got 40, 50 miles of  
23 trouble just waiting. I mean, that was my understanding. I  
24 don't know if they could bury the actual wellhead. That I  
25 don't know.

1           MR. BOUDREAU: Yeah, I was just trying to get some  
2 clarification on.....

3           MR. MATTHEWS: Right.

4           MR. BOUDREAU: .....your position on the sub-sea  
5 wellhead completions versus the pipelines.

6           MR. MATTHEWS: Well.....

7           MR. BOUDREAU: Which you gave. Thank you.

8           MR. MATTHEWS: Okay. And I guess -- if you'd permit  
9 me, Mr. Chairman, I.....

10          MR. BROCK: Sure. Go ahead.

11 BY MR. MATTHEWS (Resuming):

12           I failed to stress the importance of this geographic  
13 area. I mean, it's sort of south of Kalgin Island, runs down  
14 to the heart of Cook Inlet, and this is the primary fishing  
15 grounds of the commercial drift salmon fishery from Anchor  
16 Point north. And the position UCIDA took that I didn't make  
17 clear is no surface entry, no platforms north of there.

18           I mean, we're not the experts on the non-salmon  
19 fisheries south of there.

20          MR. BROCK: What was the line again?

21          MR. MATTHEWS: The Anchor Point latitude.....

22          MR. BROCK: Anchor Point.

23          MR. MATTHEWS: .....is our southern boundary.

24                               (Pause)

25          MR. MATTHEWS: And that's all I had.

1 MR. BROCK: Any more questions?

2 (No audible response)

3 MR. MATTHEWS: Thank you.

4 MR. BROCK: Thank you, sir. We do appreciate those  
5 comments.

6 (Pause)

7 MR. BROCK: Anybody else register, Dick?

8 MR. ROBERTS: Nobody else has registered to testify.

9 MR. BROCK: Is there anybody else here that would  
10 like to testify that didn't register?

11 (No audible response)

12 MR. BROCK: Hearing none, I'll close the hearing at  
13 this point in time. I will reopen again in 10 minutes in case  
14 somebody comes in late. And if nobody comes in to testify in  
15 10 minutes, I will close it for good. But I will recess, I  
16 guess is the proper term here, for 10 minutes. Thank you.

17 (In recess)

18 (On record)

19 MR. BROCK: I'll reopen the public hearing. Just --  
20 is there anybody that came in that would like to testify?

21 (No audible response)

22 MR. BROCK: You want to -- okay. Could we -- we've  
23 got one more person to testify, so, Ray, could you.....

24 (Pause)

25 MR. BROCK: Go ahead, sir.

**PUBLIC TESTIMONY OF MR. KEN TURNAGE**

My name is Ken Turnage. I live in Kenai, Alaska.  
Been here since April of '76.

MR. BROCK: Could you spell your last name, please,  
sir?

MR. TURNAGE: T-u-r-n-a-g-e.

COURT REPORTER: T-u-r what?

MR. TURNAGE: N-a-g-e.

COURT REPORTER: Okay.

BY MR. TURNAGE (Resuming):

I work for VECO and have for -- since I've been in  
the state. I'm not here representing VECO tonight; I'm here  
representing myself as an individual.

You know, I hear a lot of comments that lean towards  
non-exploration and development, and that concerns me. One of  
the reasons that concerns me is because, you know, my entire  
life does currently, and has always, revolved around the oil  
industry.

Now, I understand that there's people in the oil  
industry that may elect to ignore environmental precautions,  
you know, and the animals, destruction, fish, and what have  
you. I'm not one of those, personally.

Also understand that there are environmentalists and  
other people in this world who, I don't care what you do, will  
never be satisfied that you've done enough. So there are both

1 ends of the extreme, you know, in this world, but I think that  
2 the majority of us fit somewhere in the middle. There has to  
3 be a balance in there, and I like to think that I'm in that  
4 balance.

5 You know, I heard several comments here tonight about  
6 dis- -- trying to discourage oil development. I heard comments  
7 about tug escorts and the risks of dragging anchors and hooking  
8 into those pipelines. The possibilities of that are so remote,  
9 as far as I'm concerned. And if you'd talk to the skippers out  
10 here, I think you'll find the same opinion, that, you know,  
11 it's almost an irrelevant, a moot issue, in my opinion.

12 I could walk out of this hotel tonight and get run  
13 over by a Mack truck. That's not to say that I'm going to  
14 spend the rest of my life in this hotel. I will walk out of  
15 here, and I will take that risk because there's a better world  
16 out there for me than there is in here, and I think we need to  
17 keep things in perspective.

18 You know, I hear talk about zero discharge. And  
19 let's face it: What we're talking is economics. We're talking  
20 state economics and the livelihood of 85 percent of the people  
21 in this state. And we start talking zero discharge, we're  
22 talking significant economic disadvantage.

23 You've just completed a study out here, several years  
24 and spent multi-millions of dollars doing studies that have  
25 indicated that what we've done out there thus far hasn't

1 created a significant problem. At the same time, I think  
2 you've discovered that the Cities of Soldotna, Anchorage,  
3 Kenai, and other municipalities have contributed significantly  
4 more waste products to the Cook Inlet than has the oil industry  
5 in the Cook Inlet.

6 Why is it the oil industry is held to such, as is  
7 suggested, that the oil and gas industry should stand as  
8 responsible as they are being asked to stand when the munici-  
9 palities, fishing industry, tourist industry, you name it, has  
10 a much more lenient level of acceptance. Somewhere along the  
11 line, that doesn't make sense to me.

12 You know, we've done these studies; we've found out  
13 there's been no significant damage. Why don't we move on? You  
14 know, another reason, you know, that I feel we should move on  
15 is that we're discussing right now -- what we're discussing  
16 right now will allow for lease sales and ultimate exploration  
17 of the areas in question. Before development is allowed, there  
18 will be further studies done, public hearings, and what have  
19 you. What we need to do is get out there and find out what is  
20 where? We may be talking about moot issues. There may be zero  
21 oil in the primary fishing corridor that seems to be of signif-  
22 icant concern.

23 And don't get me wrong. I'm not suggesting that, you  
24 know, the fishing industry and the environmentalists should not  
25 be recognized as viable interests. I'm not suggesting that at



1 all. What I'm saying is I think it can be worked out where  
2 it's viable for all parties.

3 But what we're talking about right now is not devel-  
4 opment and whether -- where the platforms are going to be or  
5 not be, whether it's going to be sub-sea completion and elevate  
6 the cost of production by 20 percent, 30 percent, 50 percent.  
7 What we're talking about right now is let's find out what is  
8 there. What is there to go after? Once we discover that and  
9 find out what's there, then we can talk about how can we  
10 develop this, this resource.

11 You know, all of us in this state benefit greatly  
12 from what the oil and gas industry has brought to this state.  
13 Every one of us. To my knowledge, I don't know one person in  
14 this state who hasn't benefitted from what the oil and gas  
15 industry have brought to this state. The infrastructure it's  
16 built, the facilities it's attracted, the people it's  
17 attracted, the K-Marts, the WalMarts, the McDonald's, the oil  
18 and gas supply stores up and down the street. We've all bene-  
19 fitted from it.

20 If we had to bring our fuel in from Seattle, could we  
21 be as lucrative in the fishing industry as we are today, or the  
22 oil industry as we are today? As workers, not owners. If I  
23 had to buy my gas for my car, or fuel for my truck, imported  
24 from Seattle, could I have the lifestyle that I enjoy today? I  
25 suggest not. Nor could anyone else in this state.

1 I think we need to move ahead, approve the explora-  
2 tion -- the lease sales and the exploration. There's going to  
3 be another opportunity, you know, to look at the development  
4 stage and how we develop downstream. But let's find out what's  
5 there. Maybe we're fighting over nothing. But if there's  
6 something there, maybe we can figure out how we can develop it  
7 so we can all continue to benefit.

8 Thank you.

9 MR. BROCK: Thank you, sir. Any comments, any  
10 questions?

11 MR. BOUDREAU: I have no questions.

12 MR. BROCK: Thank you. Appreciate it.

13 Is there anybody else that would like to testify?

14 (No audible response)

15 MR. BROCK: You got anybody else registered, Dick?

16 (No audible response)

17 MR. BROCK: Okay. With that, it's five after 8:00.  
18 We'll close the public hearing here in Kenai. I want to thank  
19 you all for attending.

20  
21 (Whereupon, the proceedings in the above-entitled  
22 matter were concluded at 8:05 p.m.)  
23  
24  
25

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C E R T I F I C A T I O N

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )  
\_\_\_\_\_ )

I, CINDY S. CARL, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

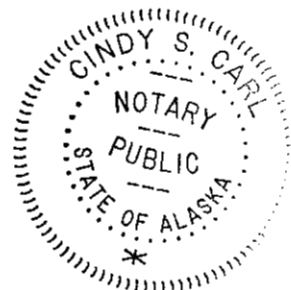
(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl  
Cindy S. Carl  
Certified Court Reporter

DATE: 3/22/95



1 DEPARTMENT OF THE INTERIOR  
2 MINERALS MANAGEMENT SERVICE  
3  
4

5 OFFICIAL TRANSCRIPT  
6

7 PUBLIC HEARING  
8

9 COOK INLET SALE 149  
10  
11

12 Homer High School  
13 Homer, Alaska  
14

15 Tuesday, March 7, 1995  
16 7:00 o'clock p.m.  
17  
18

19 MMS PANEL MEMBERS

20 Mr. Bob Brock  
21 Regional Supervisor, Leasing and Environment of the  
22 Alaska OCS Region  
23 Mr. Barry Boudreau  
24 Regional Supervisor for Field Operations  
25 Dr. Ray Emerson  
DEIS Project Leader, Leasing and Environment Office

Proceedings recorded by electronic sound recording. Transcript  
produced by transcription service.

HOMER, ALASKA - TUESDAY, MARCH 7, 1995

(On record at 7:05 p.m.)

(Tape No. 1 of 5)

MR. BROCK: Could I have your attention a minute, please? Can you all hear me?

AUDIENCE RESPONSE: Yeah.

MR. BROCK: Thank you. Good afternoon, and welcome to the public hearing on Draft Environmental Impact Statement for the Proposed Oil and Gas Lease Sale No. 149 in the Cook Inlet. I want to thank you all for coming out today.

The reason we had to meet in the other building is the official announcement that we made publicly was to meet in the City Chambers, and so we had to meet there tonight. We did have this reserved just in case we had to move up here due to the crowd. We took that option and moved it from the City Chamber to here to the high school because of the crowd. And we appreciate your tolerance in coming with us, but due to the regulations, we did have to start the meeting there and then move it up here.

My name is Bob Brock. I am the Regional Supervisor for Leasing and Environment of the Alaska OCS Region of the Minerals Management Service in Anchorage. Our panel members include Mr. Barry Boudreau on my left, who is the Regional Supervisor for Field Operations of Minerals Management Service

1 in Anchorage, and Mr. Ray Emerson on my right, who is the  
2 Project Leader on this Environmental Impact Statement. I have  
3 a few comments here to set the stage, and then we will proceed  
4 right into the testimony.

5 This is the fourth public hearing on this particular  
6 EIS. We had a teleconference with Seldovia on -- last Friday.  
7 We had a public hearing in Anchorage last Friday. We had a  
8 public hearing in Kenai last night, and here tonight, and then  
9 we'll have a public hearing in Kodiak tomorrow night.

10 The purpose of this hearing is to receive views and  
11 comments and suggestions of you interested individuals, repre-  
12 sentatives of local government, and organizations on the Draft  
13 Environmental Impact Statement. This Draft Impact Statement  
14 covers approximately 2 million acres which are being considered  
15 for leasing, or about 37 percent of the planning unit that was  
16 originally considered.

17 The major goal of this sale, if it is held, in accor-  
18 dance with the Outer Continental Shelf Lands Act, is to find  
19 out precisely what our domestic energy supplies are, where they  
20 are located, and allow them to be produced where it is possible  
21 to do so in an environmentally safe manner.

22 We have the responsibility to fulfill the mandates  
23 set out in the Outer Continental Shelf Lands Act and its imple-  
24 menting regulations. In doing so, we strictly observe all the  
25 requirements of the National Environmental Policy Act, the

1 Endangered Species Act, the Marine Mammals Protection Act,  
2 Coastal Zone Management Act, and the Oil Pollution Act. In  
3 addition, MMS has in its place -- has in place a host of regu-  
4 lations and operating rules that are designed to assure  
5 continued safe and clean offshore oil and gas activities.  
6 There are many additional safeguards that I won't go into  
7 tonight.

8 Discharges from the OCS oil and gas exploration and  
9 production activities will be subject to the Environmental  
10 Protection Agency's national pollution discharge elimination  
11 system, which are commonly referred to as NPDES permits. Under  
12 a local memorandum of agreement between MMS and the Environmen-  
13 tal Protective Agency, MMS has agreed, on federal platforms in  
14 federal waters, to conduct the NPDES permit compliance inspec-  
15 tions on all offshore facilities in federal waters in conjunc-  
16 tion with the normal drilling and production inspections.

17 Under this agreement, the MMS collects samples of  
18 discharges and provides them to EPA for independent analyses.  
19 The MMS has been conducting permit compliance inspections in  
20 federal waters in Alaska since 1989. We are aware that the EPA  
21 recently fined companies in upper Cook Inlet for violations of  
22 these permit conditions related to discharges that exceeded  
23 permit limits, mostly for sanitation -- sanitary, rather, and  
24 domestic wastes, but also for oil and grease discharges.

25 The MMS recently completed a water quality study in



1 Cook Inlet which examined hydrocarbon concentrations in water,  
2 sediments, and mussels and found no evidence of hydrocarbon  
3 contamination. The MMS study did not look for contaminants  
4 related to sanitary and domestic waste. However, the study did  
5 perform sensitive life stage bioassays which indicated no  
6 harmful levels of contaminants in general. These study results  
7 are discussed in the Draft EIS, and the final report is down  
8 here at the local library. I just put it on file today.  
9 There -- they have copies that can be checked out and reviewed  
10 of this final report on this study.

11 This Draft Environmental Impact Statement represents  
12 approximately three years of preparation, which included such  
13 actions as the call for information, area identification, and  
14 the scoping process. We have been -- you have been a part of  
15 this process through your earlier comments and are being asked  
16 once again to give us your thoughts on the sale. The Environ-  
17 mental Impact Statement is a very important element in the  
18 decision process. The law requires considerable consultation  
19 with the Governor to balance national needs with the well-being  
20 of local citizens.

21 We want everyone to understand that the MMS does not  
22 take this proposal lightly and that we approach all leasing  
23 decisions very cautiously and carefully. For example, as a  
24 result of the public input, the MMS deleted a majority of the  
25 Shelikof Strait portion of the planning area. Also, the 149

1 Draft EIS contains mitigating measures that, for the first  
2 time, are being made part of the proposed action at this early  
3 phase of the decision process, which, I might add, was a sug-  
4 gestion made right here at public hearings in Alaska, and we  
5 adopted that approach.

6 Another example of our attempts to be more responsive  
7 to public input is that concurrent with the release of the  
8 Draft Environmental Impact Statement, the proposed notice of  
9 sale is also available for comment. In the past, the proposed  
10 notice of sale was provided after the release of the Final  
11 Impact Statement. However, this time, the notice of sale  
12 appears as it would based on the information in the Draft EIS.

13 I will call today's speakers in the order which they  
14 have registered. If you wish to speak but have not already  
15 signed up to speak -- and what we did is we asked people to  
16 sign in and then put an asterisk by their name. However, I  
17 will guarantee you that I will -- we will stay right here until  
18 everybody here has had a chance to testify that wishes to  
19 testify. So if you didn't put an asterisk by your name, or if  
20 you have no signed in yet, or for some other reason you decide  
21 you want to testify, you don't have to worry, I will open the  
22 floor after I go through the people that have asked to testify  
23 and make sure that everybody that wants to gets a chance to  
24 testify.

25 If you decide that you would -- if you have written

1 comments and you don't wish to wait until your turn might come,  
2 we will take your written comments, and they will be put in the  
3 official record at this time. And I have a number of those up  
4 here with me.

5 We have a few rules that I would like to ask you.....

6 (Pause - Whispered consultation)

7 MR. BROCK: We have a few rules that I'd like to ask  
8 you to follow to ensure that the hearing runs smoothly.

9 Please state your name, address, and the organization  
10 or agency you represent. We would like to have this informa-  
11 tion properly recorded in the transcript. If comments -- and,  
12 please, if you could hold your comments to 10 minutes or less,  
13 that would be appreciated. If you have prepared written testi-  
14 mony, please give a copy to the court reporter for the official  
15 record. Now, you can -- if you decide that you don't want to  
16 read that or state that written testimony, we'll ju- -- like I  
17 said earlier, we'll just take the written testimony, and the  
18 recorder is sitting right over here to my right.

19 An official recorder will make a verbatim transcript  
20 of the hearing. Everything that is spoken when the hearing is  
21 in session will be recorded. So please remain as quiet as  
22 possible while the person is testifying. Copies of the tran-  
23 script are available through Mr. Robert Carl, the person over  
24 here with the earphones on, of Executary Court Reporting Ser-  
25 vices. His telephone number is (907) 272-4084. That's (907)

1 272-4084.

2 The purpose of this hearing is to improve the quality  
3 of our Environmental Impact Statement before it is put in final  
4 form. Speakers will not be questioned unless a member of the  
5 panel wishes to have some facts clarified or obtain additional  
6 information. We are interested in understanding your views  
7 about this Environmental Impact Statement.

8 The comment period for this Impact Statement closes  
9 on April 19th, 1995. April 19th, 1995. Until that time, we  
10 will accept written comments and statements from anyone who  
11 would prefer to make a their written, rather than oral, com-  
12 ments. These written comments and statements, if not delivered  
13 here tonight, should be sent to our address, and you can obtain  
14 that address from Dick Roberts, who is --

15 Dick, raise your hand back there so people can see  
16 you if they -- raise both your hands.

17 Okay. That's Dick Roberts back there with the -- and  
18 if you want to get our address to send your comments in, or you  
19 can call me or Dick Roberts at (907) 271-6045 -- that's (907)  
20 271-6045 -- if you don't have the address and would like to get  
21 that address. Again, let me emphasize that we will be taking  
22 written comments until Mar- -- or, I'm sorry -- until April  
23 19th, 1995.

24 With that, I'm going to start the hearing, and we're  
25 going to take it in the order that they signed in. The first

1 one is Tanya Inga.

2 (Pause)

3 **PUBLIC TESTIMONY OF MS. TANYA INGA**

4 Hello. My name is Tanya Inga, and I'm from Homer.  
5 My address is 991 Ocean Drive.

6 MALE SPEAKER FROM THE AUDIENCE: Is the microphone  
7 working?

8 MS. INGA: I hear it.

9 MR. BROCK: Can you hear back there?

10 AUDIENCE COLLECTIVELY: No.

11 (Pause - Whispered consultation)

12 MR. BROCK: Okay. Just talk right into this. Let's  
13 try it again.

14 MS. INGA: Can you hear me?

15 AUDIENCE COLLECTIVELY: Yeah.

16 MR. BROCK: Okay.

17 (Pause - Inaudible side comments)

18 BY MS. INGA (Resuming):

19 Again, my name is Tanya Inga. My address is 991  
20 Ocean Drive Loop. I'd like to say a few words concerning the  
21 lease.

22 I sure wish this meeting was to congratulate the oil  
23 spill and gas industry on the fine job they have been doing,  
24 but it's not. The truth of the matter is the oil companies  
25 leak, dump, and spill millions of gallons of pollutants into

1 our water and air each year. Do we want that? Of course not.

2 Being born and raised in Alaska, I have been -- I  
3 have seen a lot of changes, especially on the Kenai Peninsula.  
4 Upper Cook Inlet, at one time, was a very special place. Not  
5 any more. High amounts of pollutants each year are turning  
6 Cook Inlet unusable. I don't want this for the Homer area.

7 The oil and gas industry are like cancers which  
8 spread and spread and kill everything in their path. Once  
9 again, I say no to the Oil and Gas Lease Sale 149. Thank you.

10 MR. BROCK: Can you just lay it down there maybe?  
11 And then we.....

12 (Applause)

13 MR. BROCK: Thank you. Mary Ann Hutkins (sic)?

14 (No audible response)

15 MR. BROCK: I can't read the way the.....

16 (Pause - Side comments)

17 MS. HOLTHAUS: Holthaus. Holthaus. Holthaus.

18 MR. BROCK: Oh, Holthaus. Okay.

19 DR. EMERSON: Holthaus.

20 MS. HOLTHAUS: Yeah.

21 MR. BOUDREAU: Could you spell that?

22 MR. BROCK: Would you please spell it?

23 MS. HOLTHAUS: H-o- --

24 MR. BROCK: Can you pick up the mikes there so  
25 that.....

1 MS. HOLTHAUS: Mm hmm (affirmative).

2 MR. BROCK: .....we can hear you, please?

3 MS. HOLTHAUS: H-o-l-t-h-a-u-s. Do you have it?

4 **PUBLIC TESTIMONY OF MS. MARY ANN HOLTHAUS**

5 I represent -- yeah. And I represent my grand-  
6 children. They're fishing people, and I want fish to be here  
7 for them to benefit from in years to come. And I've watch the  
8 salmon disappear from the West Coast around Seattle and all  
9 along there, and I don't want to see this happen here. This is  
10 a very special place, and we want to protect it for people and  
11 animals, birds, and the fish. And the fish, not the oil, I  
12 don't think.

13 MR. BROCK: Thank you.

14 (Applause)

15 MR. BROCK: Paul Seaton.

16 **PUBLIC TESTIMONY OF MR. PAUL SEATON**

17 Thank you. My name is Paul Seaton, 58360 Bruce  
18 Drive, Homer. I'm a commercial fisherman, and I'm here repre-  
19 senting myself. I have two chief concerns about Lease Sale  
20 149. And the first is oil spills, it's effect on the environ-  
21 ment and also on the people.

22 In your EIS Table 11.1-1, your Alternative No. 1,  
23 your base case, says that there's a 27-percent chance of  
24 greater than a thousand-barrel oil spill. Although the Envi-  
25 ronmental Impact Statement labels this as a relatively low

1 chance, this is clearly an unacceptable chance to myself and  
2 the people here in Homer.

3 I'd also like to say that discharge of drilling muds,  
4 in the Lower 48 these discharges are not permitted. I don't  
5 want to debate the toxicity of these drilling muds, but these  
6 are areas of crab and bottomfish fishing grounds, and there  
7 should be no discharge of the drilling muds in Alaskan waters.

8 Thank you.

9 (Applause)

10 MR. BROCK: Thank you. Barbara McNinch.

11 **PUBLIC TESTIMONY OF MS. BARBARA McNINCH**

12 My name is Barbara McNinch, and my address is 56990  
13 Bradley Lane in Homer.

14 I'm here to tell you to cancel the lower Cook Inlet  
15 Lease Sale 149. Our economy and way of life are tied to our  
16 natural resources, and these are the same resources which will  
17 be seriously threatened by this lease sale.

18 The probability of minor spills and/or major spills  
19 are risks that we are unable to take. We need to protect our  
20 families, our fisheries, the wildlife refuges, parks, pre-  
21 serves, and critical habitat areas that border this lease sale.

22 Let's turn our focus away from the oil industry and  
23 toward alternative energy to fill our nation's energy needs.  
24 Say no to Lease Sale 149.

25 (Applause)



1 MR. BROCK: Thank you. Elasha (sic) McLean. Did I  
2 pronounce that right?

3 MS. McLEAN: It's Lhasha.

4 MR. BROCK: Lhasha?

5 MS. McLEAN: Yes. Do I have to pick this up?

6 MR. BROCK: Yes. I don't think we can hear you if we  
7 don't.

8 FROM THE AUDIENCE: We can't hear you.

9 MR. BROCK: Okay. Thank you.

10 MS. McLEAN: Okay.

11 **PUBLIC TESTIMONY OF MS. LHASHA McLEAN**

12 My name is Lhasha McLean, and I live at 56990 Bradley  
13 Lane.

14 They said that they were planning to drill 2 million  
15 acres. I definitely don't believe that it should be 2 million  
16 acres because from the drilling and all the drilling mud, you  
17 know how many fish that will kill? And I know a lot of people  
18 whose parents are fishermen.

19 And in the Shelikof Straits, I know that it's like  
20 really choppy water and really strong currents. How do you  
21 know -- how do we know that they can handle drilling and all  
22 the big ships in the choppy water? There's probably going to  
23 be an oil spill, and they probably don't have the equipment to  
24 stop it fast.

25 And in Katmai, if there is an oil spill, probably the

1 oil will move down to Katmai and kill a lot of fish. And that  
2 will kill the bears because I know there's a lot of bears  
3 there. And I don't think that anybody really wants all the  
4 bears to disappear.

5 And more people will move here. I think the schools  
6 will probably get really big. And, I mean, I don't want to  
7 live here if it's like going to be a city because I like it  
8 just the way it is. And.....

9 (Applause)

10 And it says that there's going to be a 72-percent  
11 chance that there is an oil spill. I don't think that we want  
12 to take that chance. It's too high. Please say no to Lease  
13 Sale 149. Thank you.

14 (Applause)

15 MR. BROCK: Thank you very much. David Paxton.

16 (Pause - Audience comments)

17 MR. PAXTON: Which mike? This one?

18 MR. BROCK: Just pick up the two if you can. There  
19 you go.

20 MR. PAXTON: Oh. Hello, Bob. Thanks for coming.

21 MR. BROCK: Thank you.

22 MR. PAXTON: Okay. And I want to thank Homer for  
23 coming, too. This is great. It's the best turnout I've ever  
24 seen. Thank you.

25 (Applause)

**PUBLIC TESTIMONY OF MR. DAVID PAXTON**

I'm going to make this short but sweet. Number one, I'm in opposition to this oil lease sale. But I want to give the reasons. And I'm not trying to slam anybody or do that. My affiliation is with the Alaska Volcano Observatory. I'm here for myself, my family, and the community I live with.

My main concern is that in your document, 38.2, there's only one paragraph, paragraph 3, "Volcanism." What we need here is that we have no contingency plan whatsoever for a catastrophic event in this Environmental Impact Statement. In other words, you say a contingency plan. We are sitting on a cluster of volcanoes here in the bay, in a subduction (ph) zone, and I won't bore you with the geology with that.

But -- and this plan does not address, number one, that if drilling rigs are to -- or exploration rigs are to be moved in, there are no hydraulic shutoff valves whatsoever on the surface floor. Number two, all the oil, you know, all the dock terminals should be placed above the 100-foot line, period. And I'll get into that in just a second. And number three, like I say, there's absolutely no contingency plan.

I do know that NASA does overlook this cluster of volcanoes, and we look at them real close. But what we have here is a very volatile situation, is that it's seismically very unstable. These people here on the ecosystem are ecologically very sensitive and unstable, too, 'cause they live out of

1 these tide pools.

2 (Laughter)

3 BY MR. PAXTON (Resuming):

4 We all do. Augustine going off, or one of these clusters going  
5 off, is a catastrophic event in itself.

6 But here, as we've heard the last two months, we  
7 don't have enough money for tractor tugs, for tankers. Okay.  
8 We don't have money for tra- -- for tugs for these vessels, and  
9 we don't have an early warning system on the volcanoes. We  
10 need that. And I believe Yergen Keenley (ph) with the Alaska  
11 Volcano Observatory, we're ongoing, we're trying to install  
12 that.

13 The industry, if it is to drill, here's how I feel  
14 personally: You can drill it. You can drill it. We need to  
15 know what's there. I'm tired. I want to lay it to rest. I  
16 want to know. That doesn't mean we can go into production.  
17 Let's take Alternative 2 or just nothing yet because what we  
18 have, is I see underground pipelines there. I am an engineer,  
19 and they go underneath the bay.

20 Bad idea. These are synclines, anticlines; the lines  
21 contract and expand. If we are to install these oil lines,  
22 they need to be double-wall with the back air compressor going  
23 back through the line. Any deviation in pressure, shut it  
24 down.

25 These are my concerns, and thank you for listening to

1 me.

2 (Applause)

3 MR. BROCK: Thank you. Remember, if you haven't  
4 signed in, I'd just like to remind you one more time. Dick,  
5 raise your hand back there so they can see you. He's the guy  
6 with the white paper in his hand there. Please do go back  
7 and -- or please do go over by him and sign in if you have not  
8 done that yet.

9 The next testifier is Marla McPherson.

10 **PUBLIC TESTIMONY OF MS. MARLA MCPHERSON**

11 My name is Marla McPherson, and I live at 61935 Race  
12 Road, Homer.

13 I oppose Lease Sale 149. I believe that oil and gas  
14 exploration is a wasteful investment. The reason why I believe  
15 this is because a lot of people say that it will provide our  
16 economy with a boost, but all that it does is provide us a  
17 boom/bust economy. We've seen already with the North Slope  
18 that the oil is running out, and as the pipeline runs dry,  
19 these people are in a panic. They don't know what they're  
20 going to do -- we don't know what we're going to do about our  
21 economy.

22 Our legislators are having to cut the budget right  
23 across the board because our state is running out of this  
24 money. And if we go back and invest in oil, which they seem to  
25 think is the answer, the process is going to happen again.

1 This cycle is going to happen again, and it will be a constant  
2 cycle of boom and bust. And I don't believe that oil is the  
3 answer because it's a short-term solution.

4 It's a non-renewable resource, and it's guaranteed to  
5 run out, and when it does run out, Alaskans will have nothing  
6 to show for the oil industry. All we'll have to show is  
7 polluted air, toxic waters, depleted fish and wildlife popula-  
8 tions, and the world's longest pipeline. I don't want this to  
9 be what Alaska stands for.

10 Americans should be beyond their oil dependency, and  
11 by promoting the oil development, we are prolonging our depen-  
12 dency. Our future depends upon our renewable resources, such  
13 as the fishing, sport fishing, commercial fishing, and the  
14 tourism. And the oil development is mutually exclusive with  
15 these industries.

16 My family is here tonight, and I know that they  
17 probably can't stay to speak because my two-year-old nephew  
18 needs to get home and go to bed, but they run Seekins Bed and  
19 Breakfast here in Homer. And I know that if we have oil,  
20 there's a big chance that we -- that the fish populations will  
21 go down because of pollutants. And with no fish, we'll have no  
22 tourists and no jobs, and this community depends upon the  
23 fishing and the tourist industry. This is our livelihood, and  
24 we can't support an issue that is mutually exclusive with this  
25 livelihood.

1           We need an economy that we can trust in, that gives  
2 us security, and that is dependable. And we're not willing to  
3 sacrifice our environment. Even if this oil lease promised us  
4 all the wealth in the world, this land is priceless and it's  
5 not for sale. You can't buy untainted waters, can't buy clean  
6 air, and can't buy the pristine biodiversity of the lower Cook  
7 Inlet. Thank you.

8                               (Applause)

9           MR. BROCK: Thank you. Jeff Wraley, W-r-a-l-e-y.  
10 W-r-a- -- I believe it is, W-r-a-l-e-y? Jeff?

11                              (Pause)

12           MR. WRALEY: My name's Jeff Wraley.

13           MR. BROCK: Can you pick up the mikes?

14                              **PUBLIC TESTIMONY OF MR. JEFF WRALEY**

15           My name is Jeff Wraley. I live in the Homer vici-  
16 nity, on Skyline Drive. My P.O. Box number is 844 Homer, and  
17 I'm a local citizen speaking for myself. I'd like to thank you  
18 for this opportunity to speak.

19           I've had opportunity to inspect both large volumes of  
20 data and statistics covering Lease Sale 149. Though I think  
21 the document is unnecessarily ponderous for an EIS to inform  
22 the general public and could be summarized more effectively as  
23 to the pros and cons of oil development, I would still like to  
24 thank the authors of this environmental assessment for a fair  
25 degree of forthrightness and honesty in pointing out for the

1 public many of the glaring shortcomings and dangers of Lease  
2 Sale 149.

3 To start with, I'm opposed to Lease Sale 149 or any  
4 future sales in Cook Inlet. Many people of the Cook Inlet  
5 region still vividly remember the devastating Exxon Valdez oil  
6 spill, and I, for one, don't care to see history repeated here  
7 in Cook Inlet. OSRA has estimated an 87-percent chance for two  
8 spills over 1,000 barrels occurring in the cumulative case  
9 scenario. Your own document shows attempts at mitigation were  
10 proven ineffective after a large spill. This is unacceptable  
11 risk and a direct threat to the real lifeblood of our area.

12 At present, the only real long-term sustainable  
13 economies in Cook Inlet are fishing and tourism. Oil develop-  
14 ment comes then is gone after a few decades, leaving those  
15 residents with a long-term stake in the area left holding the  
16 bag of pollution and disrupted communities.

17 Your Lease Sale 149 is not going to improve my  
18 quality of life. Mine's just fine as it is. It is going to  
19 make a few outsiders very wealthy, and your own figures prove  
20 that out. You've admitted that of the 1,400 or so jobs gener-  
21 ated by the sale, most will go to outsiders and few to  
22 residents. Your sale will just drive up our taxes and the cost  
23 of living.

24 Now, change and growth will come to Cook Inlet with  
25 or without oil development, but we, the people, do have a legal



1 right to determine what form change and growth take and control  
2 it for the greater good rather than.....

3 (Off record)

4 (Tape Change - Tape No. 2 of 5)

5 (On record)

6 (Applause)

7 BY MR. WRALEY (Continuing):

8 Minerals Management should get the message. The  
9 people of the lower Cook Inlet have, over the last two decades,  
10 thrown out past attempts at oil lease sales. We're getting  
11 tired of repeating ourselves. We'd rather be out on the Inlet  
12 fishing or ferrying tourists than sitting in here fighting  
13 lease sales.

14 Right now the EPA is charging the existing Cook Inlet  
15 oil drillers with over 800 violations of the Clean Water Act.  
16 With this track record, you can't expect us to trust the oil  
17 industry, and we don't. Without EPA presence constantly look-  
18 ing over the shoulder of the oil industry, company promises to  
19 live up to environmental standards might as well be written in  
20 smoke. As things stand, EPA enforcement is inadequate, and  
21 there should be greater regulation pushing for zero emission of  
22 pollutants in Cook Inlet.

23 (Applause)

24 In this and future lease sales, I want to see more  
25 coordination between agencies that have jurisdiction in Cook

1 Inlet rather than the present system that forces the public to  
2 approach agencies separately when seeking information and  
3 offering suggestions and testimony. I especially would like to  
4 see the Coast Guard more involved in offering advice on the  
5 need for tanker escort tugs suitable for the currents and ice  
6 conditions in these waters. As things stand, they do not exist  
7 now.

8 (Applause)

9 Another disturbing element of this lease sale is the  
10 failure to quantify the long-term and chronic impacts of this  
11 oil lease on Cook Inlet waters and everything that lives in or  
12 around it. Long-term effects to wildlife, to me, are nowhere  
13 to be found in this document. I find it a rather remarkable  
14 leap of faith to say since no one has looked for long-term  
15 problems, we should assume none are there. Is this a case of  
16 out of sight, out of mind, or just the blind leading the blind?

17 Before my -- before any oil leases are considered, I  
18 want to see hard answers to the question of long-term effects.  
19 With five wildlife refuges bordering the lease sale, a booming  
20 tourist industry, and hundreds of millions of dollars in com-  
21 mercial and sport fisheries at stake, this oil lease, if it  
22 goes through, could cost us far more than whatever sum it  
23 generates over the few decades of its life. For persons with a  
24 long-term stake in this area, this issue is not only personal  
25 but one that will affect their children and their children's

1 children.

2 This country is not desperate for Cook Inlet oil.  
3 This is not a case of national security. We are nationally  
4 involved in an orgy of consumption for the sake of consumption.

5 (Applause)

6 I don't feel obliged to subsidize the wasteful attitudes of  
7 some Americans and allow a few special interest oil drillers to  
8 dictate the fate of Cook Inlet as if it were a Third World  
9 colonial state.

10 (Applause)

11 Alaska shouldn't be sacrificed while Lower 48 states,  
12 who are the main consumer of our oil, refuse their own oil  
13 lease sales because they don't want to see oil on their  
14 beaches. The oil industry simply wants to take Alaska's riches  
15 for itself. I want assurances, and until I get some, I can  
16 believe -- I can't believe in this. I must conclude that oil  
17 derricks in lower Cook Inlet is something I can live without.  
18 The cost of doing business is just too high. Thank you.

19 MR. BROCK: Thank you.

20 (Applause)

21 MR. BROCK: John Bushell.

22 **PUBLIC TESTIMONY OF MR. JOHN BUSHELL**

23 Hi. Thanks for being here. My name is John Bushell.  
24 My address is 534 West Cowls (ph) in Homer, and I'm represent-  
25 ing myself.

1 I want to thank you for coming to Homer and listening  
2 to our concerns about the waters that we all live alongside.  
3 Tonight you will be hearing the thoughts of many residents of  
4 this area. It is my hope that you have come here tonight with  
5 an open mind. I hope your mind is not made up. I hope that  
6 you can listen to all of tonight's testimony and dwell on it  
7 for a while. Then your heart will know what is the right thing  
8 to do.

9 Tonight you are not hearing from an irate, irrational  
10 group of people. This room is not full of special interest  
11 specialists. You are hearing from teachers, students, business  
12 owners, Democrats, Republicans, probably some Greens out there,  
13 too, kids, senior citizens, politicians, and many more. I hope  
14 you listen to every one of us. Don't sit back for a moment and  
15 say to yourself, 'Only a few more to go.' Please remember that  
16 all these people, along with myself, live here, and that our  
17 opinion is important to us and, hopefully, to you.

18 I don't need to say, 'No oil in our waters.' I've  
19 got friends behind me that will say it loud and clear. I just  
20 ask that you listen to them. The decision you make regarding  
21 the southern area of Cook Inlet affects every single one of us.  
22 We live here, work here, and raise our families here. We all  
23 marvel at the beauty of our mountains and our waters. I don't  
24 want to worry that the scenery might change.

25 Please, listen to my friends and neighbors with an

1 open mind, and make your decision after you've had time to  
2 think about all you hear tonight. Thank you.

3 (Applause)

4 MR. BROCK: Thank you. And we definitely will. Gail  
5 Parsons.

6 (Pause)

7 **PUBLIC TESTIMONY OF MS. GAIL PARSONS**

8 I'm not sure everyone's seen these, but this is the  
9 document we're talking about.

10 MR. BROCK: Can you pick up the mike? You need three  
11 hands.

12 MS. PARSONS: I need three.

13 BY MS. PARSONS (Resuming):

14 My name is Gail Parsons.

15 MR. BROCK: Thank you. Can you hear, Bob?

16 (No audible response)

17 BY MS. PARSONS (Resuming):

18 My address is Post Office Box 2397 in Homer.

19 Here in this -- these sale proposal document is the  
20 federal government's latest plan to risk a healthy, sustain-  
21 able, natural ecosystem in favor of big oil. The other natural  
22 resources in this area need to take precedence, especially in  
23 the light of the need for continued restoration from the Exxon  
24 Valdez spill.

25 Nowhere in this DIS do I find reasonable justifica-

1 tion to put the lives of thousands of citizens and billions of  
2 inter-dependent organisms at risk for what are described as  
3 possible economic benefits. The long-term economic effects are  
4 truly detrimental to the quality of life here.

5 Some of them are an influx of workers from Louisiana,  
6 Texas, California, that the industry imports, causing stress on  
7 the costs to city infrastructure with very little relative  
8 income and few, if any, jobs for local residents. This creates  
9 a boom/bust economy, not a sustainable one.

10 Also, an industrialization of a small, rural popula-  
11 tion that has chosen to live at the end of the road precisely  
12 because it does not have, and does not want, the problems  
13 associated with big industry. Also, the costly environmental  
14 nightmares that come with this are well documented in the toxic  
15 sites in the Kenai area, in the at least 800 violations of  
16 clean water and air charged against industry by the EPA, and in  
17 the mandated fund that was supposed to be used to restore the  
18 North Slope ecosystem. If that fund exists -- and I have been  
19 able to establish that it even exists (sic) -- it has fallen  
20 far short of its mandate.

21 This is an example of how well the oil industry and  
22 government, both state and federal, work together. They prom-  
23 ise the sky, as they did in Prudhoe Bay, saying, 'We'll take  
24 all of this away. We'll leave a pristine environment,' and  
25 then say after that it's -- after it's damaged that it isn't

1 economically feasible to restore it. Well, that isn't good  
2 enough for me.

3           What is at stake here is too precious. Thousands of  
4 people's lives and quality of life would be pushed aside so  
5 that the oil industry could drill risky exploration wells in  
6 this valuable ecosystem still stressed by the '89 spill. As of  
7 this moment, five years after, recommendations were made to  
8 protect Alaskan waters, we don't even have the safeguards in  
9 place in Cook Inlet that now exist in Prince William Sound in  
10 spite of a worse weather, docking, and traffic scenario here.

11           As I read through the DIS, I am impressed by page  
12 after page of analysis and projection. Hundreds and hundreds  
13 of hours of work are accumulated in this document, and many  
14 days have been dedicated to meetings like this, and all of us  
15 appreciate your efforts. We come tonight to respond.

16           The risks outlined in your document are far too high  
17 for me. The few months of oil production forecast by the  
18 scientists are not of value great enough to justify the fear  
19 and inevitable degradation that you promise and we believe from  
20 past experiences with the oil industry, that the cost to the  
21 communities and creatures of lower Cook Inlet will be much  
22 greater than what you predict.

23           For instance, in Volume 2, you give an analysis of a  
24 200,000-barrel oil spill. The projection may be accurate for  
25 the scenario you have chosen in the month of April, but why

1 April? This could happen any month, and a much more sensitive  
2 month would change these figures dramatically.

3 There's a tiny section of this DIS that addresses  
4 alternative energy -- a few pages. It is my hope that the next  
5 time I see one of these documents, the large part will be  
6 alternative energies, and a few tiny pages, if any, will deal  
7 with oil.

8 Today in the Lower 48, cost of solar power has been  
9 reduced to 5 cents per kilowatt hour, and wind generation costs  
10 have been reduced to 9 cents. My HEA bill that I looked at  
11 today charges me between 10 and 11 cents per kilowatt hour  
12 based on fossil fuel.

13 What is already happening in Cook Inlet regarding  
14 drilling and transportation of toxins gives us more risk than  
15 we should bear. Do not further jeopardize our lives by pursu-  
16 ing this lease sale. Take heed of your warnings of impending  
17 losses, and choose on the side of caution and health. Thank  
18 you.

19 MR. BROCK: Thank you.

20 (Applause)

21 MR. BROCK: Joel Cooper?

22 (Pause - Whispered comments)

23 MR. COOPER: Let's try it. That work?

24 MR. BROCK: Yeah. I think you'll have to lean clear  
25 over there though.



(Pause)

**PUBLIC TESTIMONY OF MR. JOEL COOPER**

My name is Joel Cooper. My address is at the end of Saltwater Drive. My mailing address is P.O. Box 3585, Homer. I'm here representing myself.

First, I'd like to thank all the people at MMS and the Department of Interior, who put so much time and energy into putting this Draft EIS together. It is quite an accomplishment. I would also like to thank MMS and the Interior Department for the opportunity to comment on the EIS and Lease Sale 149.

I am very discouraged that Secretary Babbitt is not here to hear the testimonies of myself and people of this community and the communities of Cook Inlet. I believe that the person that is going to make the final decision on a project of this magnitude that will have unavoidable adverse effects and that has high probabilities, be it 27 percent, 64 percent, 72 percent, or 87 percent, of an oil spill or spills, that can have significant adverse effects on a humane, marine, and coastal environment should be present at the hearings of the communities that will be affected.

As a scientist who has spent two years studying the sea bird colonies in the Barren Islands, partook in winter survey to determine population estimates of marine birds on lower Cook Inlet and Kachemak Bay, conducted shore bird (indis-

1 cernible) in the mud flats of Tuxedni Bay, worked on Tustumena  
2 Lake salmon study to determine spawning distribution of adult  
3 sockeye and chinook salmon, and have spent three years as an  
4 environmental chemist analyzing hydrocarbon and hydrocarbon-  
5 derived pollutants, I am opposed to Oil Lease Sale 149. This  
6 is to say I'm in favor of Alternative 2, the no-lease sale  
7 alternative.

8 As a citizen of the community of Homer and the Cook  
9 Inlet region who utilizes the marine plants, invertebrates, and  
10 fish resources as a source of food, and also one who values the  
11 pristine beauty of Cook Inlet and Kachemak Bay, I also support  
12 Alternative 2, the no-lease sale alternative.

13 I have spent many hours, actually days, reading and  
14 analyzing this Draft EIS, days that I would have rather spent  
15 working, camping, skiing, and socializing, without the weight  
16 of this two-volume EIS. I plan to spend many more days up to  
17 the April 19th deadline, and beyond, to give the best possible  
18 comment. I've begun a list of very important questions that I  
19 would like to be considered. And I will have a larger list by  
20 the time April 19th rolls around.

21 I'm very unclear about the laws and regulations that  
22 MMS must follow. I know that the EIS provides summaries of  
23 Acts, as amended, related statutes, and summaries of the  
24 requirements for exploration and development and production  
25 activities. But I've decided that since I'm living in a commu-

1 nity that has -- that can have OS -- OCS development, I figure  
2 I'd better know the laws in their entirety so I can better  
3 understand how OCS development takes place, and so I can under-  
4 stand whether the development is being carried out according to  
5 the law. Or so I'm asking -- so I'm asking MMS to provide or  
6 direct me to where I can obtain these laws in their entirety.

7 My question is in rega- -- I have a question in  
8 regarding (sic) Alternative 2. I know that this alternative  
9 would be tantamount to cancellation of Sale 149, and should  
10 this sale not be held, the energy that would have flowed into  
11 the U.S. economy for resources leased under this sale would  
12 need to be provided by substitute sources, as stated on page 2-  
13 4, Volume 1. What I would like to know is why equal or more  
14 attention was not given to possible substitutes for the  
15 resources expected to be produced as a result of the proposed  
16 action.

17 It seems to be rather obvious that more resources  
18 could be available through conservation in the transportation  
19 sector since the transportation sector consumes over 40 percent  
20 of the petroleum products sold in the U.S., as stated in Volume  
21 2, Appendix D, page D-3. This is only one aspect of conserva-  
22 tion, and only one energy alternative to the proposed action.  
23 I don't think the eight pages in Appendix D is adequate at all  
24 in addressing energy alternatives that would meet the national  
25 energy demand, the purpose of the proposed action, as stated on

1 page 1-1, Volume 1.

2 Alternatives that would have less of an impact and  
3 would protect the humane, marine, coastal environments consid-  
4 ered in the proposed actions. Alternative energies that would  
5 have flowed into the U.S. economy if alternatives were not  
6 adequately considered or not considered at all.

7 I would like -- I'd like to also address the time  
8 allowed to review this document and the technical nature of the  
9 document. It is obvious that the general public does not have  
10 the time and are overwhelmed by the size and the scientific  
11 nature of this EIS, and that they cannot comment on it in a way  
12 that MMS sees applicable to the EIS. I think it should be the  
13 responsibility of MMS to see to it that everyone in the public  
14 sector of the proposed area is contacted and explained in a  
15 comprehensible and understandable way how they are going to be  
16 affected by the proposed action.

17 (Applause)

18 I ran out of time. That's all I could write down and  
19 with a well thought out thing. So I wrote some little notes  
20 that I want to comment on.

21 One is that it's blatantly obvious oil should not be  
22 developed in Cook Inlet. The industry is having an impact in  
23 the upper Inlet right now. Industry has to start developing an  
24 ethic where they have no discharge of pollutants at all.

25 I'd also want to address the fact of how this EIS

1 will be addressed if the export ban is lifted, as I'm hearing  
2 in the media. If the export ban is lifted, then the need to  
3 meet the energy demand for this country will be at odds with  
4 exporting the oil that will be sent overseas. Therefore, it  
5 won't be meeting the energy demand of this country, but it will  
6 be meeting the energy demand of other countries. And that is  
7 at direct odds with the purpose of this EIS.

8 It also -- oop. Sorry about that. I would also like  
9 to comment on the psychological effects that have been forced  
10 upon me, and I'm sure the people of this community, in having  
11 to worry about the high probabilities of an oil spill.

12 I would also like to comment that the view of the oil  
13 rigs is unavoidable, and that is something that will be incom-  
14 patible with the economy of Homer since it is a tourist-based  
15 economy as well as a fishing economy.

16 And I'd also like to refer to the socioeconomics page  
17 on 3-C.10, and I'd like to read what was written here 'cause I  
18 think it is well said about Homer. It says,

19 "In the Homer area, in contrast, the Homer area  
20 is more sparsely populated, and it has not been  
21 subject to the major economic fluctuations that  
22 have characterized the development of Kenai/  
23 Soldotna area. Furthermore, the Homer area is  
24 economically dependent on commercial fishing and  
25 tourism rather than the oil and gas industry.

1 Social[ly] diverse with a wide variety of life-  
2 styles and ways of life, the Homer area has  
3 shown considerable social/cultural continuity  
4 and stability despite rapid population growth.  
5 This is attributed to the strong ties residents  
6 have developed to maintain a local natural envi-  
7 ronment.

8 "Newcomers arriving in the area for various  
9 reasons have adapted to the three basic ecolo-  
10 gical economic niches the Homer area provides:  
11 commercial fishing, trade, and semi-subsistence  
12 fishing and farming. All value their indepen-  
13 dence, and many are seeking to establish self-  
14 sufficient, self-reliant ways of life."

15 This is why I live in Homer, and I don't want this changed into  
16 an oil industry economy.

17 (Applause)

18 And finally, I'd like to close my testimony with the  
19 ending of an essay by Wendell Barry (ph) called "Word and  
20 Flesh," from his collection of essays, "What Are People For?"  
21 He concludes:

22 "Our most serious problem, perhaps, is that  
23 we have become a nation of fantasists. We  
24 believe, apparently, in the infinite availa-  
25 bility of finite resources. We persist in land

1 use methods that reduce the potential infinite  
2 power of soil fertility to a finite quantity,  
3 which we then proceed to waste as if it were an  
4 infinite quantity.

5 "We have an economy that depends not on the  
6 quality and quantity of necessary goods and ser-  
7 vices, but on the moods of a few stockbrokers.  
8 We believe that democratic freedom can be pre-  
9 served by people ignorant of the history of  
10 democracy and indifferent to the responsibil-  
11 ities of freedom.

12 "Our leaders have been, for many years,  
13 oblivious to the realities and dangers of their  
14 time, as were George III and Lord North. They  
15 believe that the difference between war and  
16 peace is still the overriding political differ-  
17 ence when, in fact, the difference has  
18 diminished to the point of insignificance.

19 "How would you describe the difference  
20 between modern war and modern industry, between,  
21 say, bombing and strip mining, or between chemi-  
22 cal warfare and chemical manufacturing? The  
23 difference seems to be only that in war, the  
24 victimization of humans is directly intentional,  
25 and in industry, it is accepted as a tradeoff.

1           Were the catastrophes of Love Canal, Bhopal,  
2           Chernobyl, and the Exxon Valdez episodes of war  
3           or of peace? They were, in fact, peace-time  
4           acts of aggression, intentional to the extent  
5           that the risks were known and ignored.

6           "We are involved unrelentingly in a war not  
7           against foreign enemies but against the world,  
8           against our freedom, and indeed, against our  
9           existence. Our so-called industrial accidents  
10          should be looked upon as revenges of nature. We  
11          forget, nature is necessarily party to all our  
12          enterprises, and she imposes conditions of her  
13          own. Now she is plainly saying to us, 'If you  
14          put the fates of whole communities or cities or  
15          regions or ecosystems at risk in single ships or  
16          factories or power plants, then I will furnish  
17          the drunk or the fool or the imbecile who will  
18          make the small necessary mistake.'"

19          Thank you.

20          MR. BROCK: Thank you.

21                               (Applause)

22          MR. BROCK: Charles Davis is next, with Horse Trader  
23          following.

24                  While he's walking up, I do have -- and I will peri-  
25          odically turn these in to the record. We have turned in a



1 letter tonight signed by 37 high school students that are  
2 opposing the sale, and that will go into the official record.

3 (Applause)

4 MR. BROCK: And there's also a written note here from  
5 Annette B-e-l-l-a-m-y, I believe it is.

6 COLLECTIVE RESPONSE: Bellamy.

7 MR. BROCK: Bellamy? That also will go into the  
8 official record.

9 (Applause)

10 **PUBLIC TESTIMONY OF MR. CHARLES DAVIS**

11 Good evening. Thank you for the opportunity to come  
12 here and talk. My name is Charles Davis. My address is Box  
13 906 in Homer. I live down on the beach. We've had oil on that  
14 beach already once; it's not pleasant.

15 I come from a family of oil people. I've been around  
16 the oil business for over 50 years. If you people insist on  
17 leasing this land and allowing these oil companies to drill,  
18 they will spill the oil. And it shouldn't happen.

19 It is a matter of national security though. You  
20 know, this oil is very necessary for certain things in our  
21 society. This oil is going to be needed for our great great  
22 great grandchildren. What is the plan, when you get all this  
23 oil drilled up and produced, what are we going to do for oil  
24 then? We're going to be at the mercy of who? The Saudi  
25 Arabians? The Russians? The Chinese? Where is the consider-

1     ation of what your grandchildren are going to do, or your great  
2     grandchildren.

3             I asked before -- I think I've testified two or three  
4     times before you folks. I've asked you, What's the big rush to  
5     privatize a public domain resource? Why don't we wait until  
6     the price of oil is a hundred dollars a barrel? There'll be  
7     enough money to afford the necessary systems so to produce this  
8     oil without spilling any of it, in much the same way that steel  
9     is made in mills today, in modern mills today, where there is  
10    no pollutants that escape into the atmosphere whatsoever, where  
11    everything is recycled. Why are we in such a big rush right  
12    now to lease all this land out?

13            You know, if you want to find out what's out there,  
14    you can do a pretty good job through your geological surveys.  
15    I don't see why we even have to drill a test well. There's  
16    plenty of places in America; for instance, you can go down off  
17    the coast of California. There's plenty of places to drill  
18    down off the coast of California right now that they aren't  
19    drilling.

20            Around here in Homer, we call this the halibut capi-  
21    tal of the world, the halibut sport fishing capital of the  
22    world. Well, when I was a young man about 14 years old, Ocean-  
23    side, California, was the halibut sport capital of the world.  
24    But they were drilling for oil, and there is no halibut down  
25    there any more.

1           So I am against this sale. The speakers here tonight  
2 before me and the ones that'll come after me are a lot more  
3 eloquent about expressing all of the things that are wrong with  
4 this, and those that have read the EIS. I haven't read the  
5 EIS. But I would certainly wish that someone would answer to  
6 us why we have to do this now. Thank you.

7                               (Applause)

8           MR. BROCK: Horse Trader, followed by Daniel Zate,  
9 Z-a-t-e (sic).

10          MR. ZATZ: Zatz.

11          MR. BROCK: Zatz?

12                   **PUBLIC TESTIMONY OF MR. MICHAEL WHITE, a/k/a HORSE TRADER**

13           Hey, there's been a lot of good things said here  
14 tonight -- and there's a lot more. Looks like the turnout  
15 alone has shown that there's a lot of support here.

16           My name's Horse Trader. I live up on Raven Ridge.  
17 My box is 2626.....

18          MR. BROCK: Sir, excuse me. What -- could you give  
19 us your name so we.....

20          MR. WHITE: Oh, yeah, sure. Well, my real name is --  
21 well, my real name's Horse Trader, too. I -- but my name's  
22 Michael White, alias Horse Trader. We'll go that way.

23          MR. BROCK: White, did you say?

24          MR. WHITE: White, yeah.

25          MR. BROCK: How do you spell it?

1 MR. WHITE: Like the color, white.

2 MR. BROCK: W-h-i-t-e?

3 MR. WHITE: Yeah. That's it.

4 BY MR. WHITE (Resuming):

5 And this is about the Lease Sale 149, but I also  
6 would like to say that I think you've sold people out with the  
7 sales before this lease sale, that are out there that people  
8 should be aware of, and the ones that are -- as soon as you  
9 reconsider this one, are going to be proposed. Anyway, I don't  
10 know much, but here's what I'm going to say.

11 Image. Man, the ultimate destroyer. How does man  
12 seek to regain his image? We could start by looking into our  
13 own hearts. For myself, since I was a child, I always was  
14 outside playing, touching the ground, smelling the flowers and  
15 the air, and watching the animals and talking with them, all of  
16 them, all the time, and still do today. The nice thing about  
17 nature and animals is they both give and take; it's a balance.

18 I think we, as man, have done a lot of taking. But  
19 as we go forward, we should look and focus on the giving  
20 because it is a balance. Our Creator will show us pity if we  
21 can change our image -- Man, the ultimate giver. Thank you.

22 MR. BROCK: Thank you.

23 (Applause)

24 MR. BROCK: Daniel Zatz, followed by Patty Lightcap.

25 **PUBLIC TESTIMONY OF MR. DANIEL ZATZ**

1           My name is Daniel Zatz, and it's Post Office Box  
2 1266 -- well, no -- Box 2666, Homer 99603. And I'm here repre-  
3 senting myself. My notes are a mess, so bear with me here.

4           First of all, good evening. Thanks for coming here.

5           Lease Sale 149 isn't simply a question of oil, and  
6 it's not just a question of the value of wildlife, of fishing,  
7 tourism, or recreation. It's really a question of community.  
8 The people of Homer live with these waters. They work on them;  
9 they eat from them. Businesses depend on the tourism these  
10 waters bring in. Our community has evolved relying on clean  
11 water, and we expect our government to ensure its protection,  
12 not its destruction.

13           I'd like to talk for a minute about the EIS. The EIS  
14 is supposed to assess the environmental effects of Lease Sale  
15 149, but it really doesn't. It's supposed to be fair and  
16 unbiased, but it's not. It should base conclusions on sound  
17 scientific reasoning, but it doesn't even do that. From char-  
18 acterizing a 27-percent probability of a 50,000-barrel oil  
19 spill as being a low probability to using killer whale biology  
20 to assess the spill effects on beluga whales because both  
21 animals have teeth, this document has serious problems.

22           For example -- some more -- humpback whales, on  
23 pa- -- in Section 3.B.1.8, it reads that the current North  
24 Pacific humpback whale population numbers around 2,000 animals  
25 and that about 2,000 individuals use the waters in or adjacent

1 to Cook Inlet. So roughly half the humpback whale population  
2 of the North Pacific uses these waters. A few pages later, in  
3 the environmental assessment of a 50,000-barrel spill, the  
4 document reads that only 5 percent of the humpback whales will  
5 be affected. What happened to the other 45 percent? You'll  
6 find that at Section 4.B.156.

7 As I mentioned, beluga whales are also discussed.  
8 This section reads that since not much is known about beluga  
9 whales, we're going to have to rely on killer whale biology to  
10 figure out what's going to happen to beluga whales in a spill.  
11 That's not acceptable. You'll have to do more homework on  
12 beluga biology.

13 (Applause)

14 I'm going to skip a big section here because there's  
15 just too many people to talk, but to sum up some of what I was  
16 going to say, I'll just read from Section 4.B.127, where it  
17 reads,

18 "Based on these assumptions...."

19 Where we're looking at a spill of 50,000 barrels,

20 "Based on these assumptions and the estimated  
21 points of contact, oil as-....."

22 And wait. And now, I have to say that this is only mentioned  
23 once in this EIS, and it's significant. I'll start again:

24 "Based on these assumptions and the estimated  
25 points of contact, oil associated with a base

1 case spill is estimated to contact about 50  
2 percent of the intertidal and shallow subtidal  
3 habitat within the Cook Inlet and Shelikof  
4 Straits area. It is further estimated that of  
5 this 50 percent, about 40 to 60 percent of the  
6 marine invertebrates contacted would either be  
7 killed or would be sub-lethally affected."

8 That is not acceptable.

9 (Applause)

10 All of the wildlife mortality probability assessments  
11 are based on trajectory models that assume oil will flow from a  
12 spill area to one point. This -- the document calculates --  
13 the EIS calculates the effects of a spill on wildlife based on  
14 the premise that oil will flow from a spill, hit land, and  
15 that's it. And that's crazy. You even say it in your own  
16 document, what's going to happen. When there's a spill, it may  
17 cover half of lower Cook Inlet. It's going to hit more than  
18 just one spot.

19 Another problem with the EIS. A spill is assumed to  
20 happen in 15-knot winds. Cook Inlet is known for some of the  
21 wildest winds anywhere. In October, there were winds of over  
22 100 miles an hour in the Barren Islands for nearly a week.  
23 Looking at the effects of a spill under only ideal conditions  
24 is totally inadequate. Using an average wind speed is com-  
25 pletely misleading, and you should be using worst case

1 scenarios if you really care about the validity of the EIS.

2 (Applause)

3 Furthermore, on winds, the wind information calcu-  
4 lated in the EIS appears to have been gathered using average  
5 wind velocity and direction from Kenai, Homer, Kodiak, and an  
6 area considered Marine Area A, which looks like Shelikof  
7 Strait. Taking samples from these areas misses wind conditions  
8 for the very heart of the sale area, which is significant.  
9 It's at a break in the Alaska Range where Lake Iliamna is where  
10 the wildest winds come from; 60-, 70-, 100-knot winds are not  
11 so uncommon, and yet none of your data reflects that.

12 The 2,000-barrel spill projections, it was already  
13 mentioned, but I need to repeat it. I think it's outrageous  
14 that you only ran the environmental assessment for this for  
15 only the month of April. It's totally inadequate. Try running  
16 the numbers in late summer when sea birds are fledging, when  
17 humpback whales are in the Barrens, when bears are walking the  
18 beaches, and things will look much, much worse.

19 I understand that you want to paint a sweet picture  
20 of what happens if you lease this area, but I want to see the  
21 effects of a 2,000-barrel spill for each month of the year.  
22 These are just a few examples, and you're hearing more, and  
23 you'll continue hearing more, and I'll add more in my written  
24 commentary. I have just a couple more things to say.

25 McNeil River bears. There is no place in the world



1 like McNeil River; it's a national and worldwide treasure. And  
2 I'm going to have to appeal to your sense of practicality here,  
3 regardless of the probability numbers that are in the EIS,  
4 because based on your own data, when there's a 50,000-barrel  
5 spill and oil is covering -- sporadically covering half of  
6 lower Cook Inlet, we're just going to have to assume that some  
7 of that's going to enter Kamishak Bay. And if a spill occurs  
8 at the wrong time of year, those bears are dead.

9 I really can only speak for myself, but I believe  
10 there are thousands of people throughout the world who will  
11 echo my feelings that you may not threaten McNeil River bears.  
12 The bears there are not negotiable, not.....

13 (Applause)

14 .....for national security.....

15 (Applause)

16 They're not negotiable for national security, not for big  
17 money, not for anything.

18 So I'll conclude by saying stop this crazy idea now.  
19 Tell Mr. Babbitt that you made a mistake, that you forgot to  
20 consider the community of life, both human and otherwise, that  
21 will be lost here, that the money to the U.S. Treasury from the  
22 leases will never replace the community destroyed by this  
23 development. I appeal to you to let this one go now. Thank  
24 you.

25 MR. BROCK: Thank you.

(Applause)

MR. BROCK: Patty Lightcap, with Bill Choate next.

**PUBLIC TESTIMONY OF MS. PATTY LIGHTCAP**

Hello. My name is Patty Lightcap. My address is P.O. Box 1686 in Homer.

The first thing I'd like to say is one of the reasons that I have moved to Homer is because of the beauty of the area and the fact that I have a daughter, and I'd like to raise her in a beautiful area with a beautiful environment. And given the fact of this oil sale, it says that this oil sale borders five national wildlife refuges, four national parks and preserves, and numerous State-designated critical habitat areas. These areas are homes to the humpback whales, the steller sea lions, sea birds, McNeil River bears, and salmon, herring, cod, halibut, and the numerous other wildlife.

And that is something that everybody in their lifetime ought to have the opportunity to see. And for oil to come down here and to develop, it would kill all of that. It would wipe that out. There would be no bears. There would be no sea lions, whales. And then what would there be here for our children and their children? There would be nothing. It would be a devastated area. There would be no fishing. There would be no fish to fish. There would be no tourism; there would be nothing for them to come here for. There would be no sports fishing. There would be no McNeil River bears. There -- and

1 what would be here would not be healthy enough for anyone to  
2 eat and live off of.

3 Your predictions predict that there's a 72 (sic)  
4 probability of a major spill. And you also say that there's a  
5 100-percent probability of a minor spill. Well, a 100-percent  
6 probability of a spill, to me, is not safe, it's not good  
7 enough. The only safeguard to oil development is no oil devel-  
8 opment. And I agree with.....

9 (Applause)

10 And I agree with the Alternative No. 2 for no lease sale alter-  
11 native.

12 And the last and final thing I have to say is that  
13 what we need to be looking at in this day and age, in this time  
14 in our area, is not a non-reusable fuel. We need to be check-  
15 ing into reusable resources and alternative energy. There's  
16 many things, there's many technology (sic), and I believe that  
17 you people have them, and you people could even be looking into  
18 them. And we need to get off the one track, short-term non-  
19 reusable resources and focus, and have our main focus on,  
20 alternative energy and reusable resources. Thank you.

21 (Applause)

22 MR. BROCK: Thank you. Bill Choate, who's followed  
23 by Dora C-o-e-n, I believe it is.

24 **PUBLIC TESTIMONY OF MR. BILL CHOATE**

25 My name is Bill Choate. I've lived here on the

1 Peninsula for most of my life. I'm curious -- oh, that's Box  
2 493, Homer, Alaska.

3 I'm curious of, did you three people help write this  
4 document?

5 MR. BROCK: No.

6 MR. CHOATE: You didn't?

7 MR. BROCK: Hmm mm (negative).

8 BY MR. CHOATE (Resuming):

9 I just -- it's sort of awkward for me to read a  
10 document of this size with no published author. It's an awful  
11 lot of pages.

12 COURT REPORTER: He's not coming across.

13 MR. BROCK: Can you speak a little closer?

14 (Microphone readjusted)

15 BY MR. CHOATE (Resuming):

16 Let me see. I'm against this lease sale for quite a  
17 few reasons, but I'd just like to address a couple. I'm a  
18 commercial fisherman, so I'd like to quote something here. It  
19 says,

20 "The Exxon Valdez oil spill experience has dem-  
21 onstrated that compensation to the commercial  
22 fishing industry for participating in the  
23 cleanup of a large Cook Inlet oil spill is  
24 likely to exceed these economic losses by  
25 several orders of magnitude."

1 I'd just like to say that that's total hogwash. I'd just like  
2 you to find somebody who.....

3 (Applause)

4 I think that's pure opinion, and that's not science. That's  
5 not quoting valid statistics.

6 You go on to say over here,

7 "A large oil spill would generate 5,000 cleanup  
8 jobs for six months of the first year.'

9 Well, gee thanks. That makes me feel really good, you know.

10 (Applause)

11 A good boost to our economy. On down a little farther, it  
12 says,

13 "Based on the Exxon Valdez oil spill experience,  
14 these losses are likely to occur for only one or  
15 two years over the thirty-year life span of the  
16 proposal and are likely to be fully compensated  
17 several times over by the oil industry."

18 That doesn't make me feel any better at all. And I'd  
19 like for you to consider for a minute, if a neighbor approached  
20 you and said, 'Look. I'm going into the cesspool pumping  
21 business, and there's a pretty good chance that my truck is  
22 going to spill onto your lawn.....'

23 (Laughter, applause)

24 '.....sometime in the next two years. But don't worry. I'll  
25 pay you well to clean it up.' You know, that's what this is

1 saying to me. So.....

2 (Applause)

3 This report is not objective. I see much, much  
4 opinion in it, and I really -- I'm really against this. Thank  
5 you.

6 MR. BROCK: Thank you, Bill.

7 (Applause)

8 MR. BROCK: Would you spell your last name, please?

9 MR. CHOATE: C-h-o-a-t-e. Thanks.

10 MR. BROCK: Thank you. Did he say p-h.....

11 (Applause)

12 MR. BROCK: .....or c-h?

13 MR. BOUDREAU: Choate, C-h-o-a-t-e. Choate.

14 MR. BROCK: I have two letters here that I received  
15 that will go in the -- from Julie A-p-e-r-s-o-n, I believe it  
16 is, Aperson, and Shelly Gill, G-i-l-l, I believe it is. They  
17 will go in the record, too. Dora?

18 **PUBLIC TESTIMONY OF MS. DORA COEN**

19 Hi. My name is Dora Coen, and I live in Fritz Creek.  
20 My address is P.O. Box 15273, Fritz Creek, Alaska. And I'm for  
21 the no lease sale.

22 I believe if you -- if we do this, we are robbing our  
23 children's future by a one-time, short-term gain. We are  
24 stealing our children's healthy environment and leaving them  
25 with a sick, dead, and dying planet.

1 Any pollution is too much. We need zero pollution  
2 tolerance, or we will destroy our planet. Oil is not a zero  
3 pollution energy. We need to stop this in our front yard and  
4 everywhere else, and we need to find other ways, and we will  
5 find other ways, to sustain our energy needs and economy.

6 I'd also like to say that we most definitely will  
7 have a major earthquake soon, and not just one but many. If we  
8 do this oil thing, how -- I don't see how we could prevent the  
9 oil from spilling and having another zillion-gallon spill. I  
10 still remember the Exxon oil spill; I was there. I still  
11 remember all the dead animals washing up on the beaches in  
12 Homer and the outer coast. I don't want to see that happen  
13 again.

14 I'm representing life. I'm representing this planet.  
15 So please, I'm for the no lease sale.

16 (Applause)

17 MR. BROCK: Deborah Oppenheimer (sic), with Nina  
18 Faust next.

19 **PUBLIC TESTIMONY OF MS. DEBORAH OPPENHEIM**

20 Hi. And it's Deborah Oppenheim, no -e-r. I live at  
21 54270 Wilderness Lane, Homer. Lease 149 is short-sighted. I  
22 don't know how many reasons you need to stop this process. I  
23 mean, but here's a couple.

24 The economic benefits do not justify the probable  
25 damages. The damages to fishing and tourism that depend on

1 clean water and clean air and clean -- are just -- they're not  
2 for sale. And that's just not acceptable. The few who benefit  
3 by this are well outnumbered by the many who have everything to  
4 lose. Our community is what we have to lose.

5 And this area is just not stable. Earthquakes,  
6 volcanic activity, and severe tides are reason enough not to  
7 allow drilling. Now, Alacuminara (ph) 1989 was just not that  
8 far away. It just doesn't make sense. You know, Alternative 2  
9 is really the only alternative that makes sense. Thank you  
10 very much.

11 MR. BROCK: Thank you.

12 (Applause)

13 MR. BROCK: Nina Faust, followed by L-o-s-c-h-e-r, I  
14 bel- -- L-o-t-s-c-h-e-r. Go ahead.

15 MS. FAUST: Brother Isaiah requested that you go back  
16 to the list. Somebody signed his name, and he forgot to put an  
17 asterisk next to it.

18 MR. BROCK: Brother Isaiah?

19 MS. FAUST: Yeah. And he was.....

20 MR. BROCK: Okay.

21 MS. FAUST: He was right after Charles Davis.

22 MR. BROCK: Okay. I'll call on him next then.

23 MS. FAUST: Thank you.

24 MR. BROCK: Right after this next speaker I already  
25 called.



1 MS. FAUST: Okay.

2 MR. BROCK: Thank you.

3 **PUBLIC TESTIMONY OF MS. NINA FAUST**

4 My name is Nina Faust. I'm speaking for the Kachemak  
5 Bay Conservation Society, Box 846, Homer. Our organization,  
6 for your information, has been around since around 1975 and has  
7 been actively fighting oil leases in the Kachemak Bay area and  
8 in the lower Cook Inlet region since 1975. And we're pretty  
9 darned tired of having to come back every single year to fight  
10 these things.

11 (Applause)

12 After reading about the buy-back of leases in Bristol  
13 Bay and the cancellation of leases in the Chukchi Sea, we are  
14 appalled that Lease Sale 149 is going forward for lower Cook  
15 Inlet, which suffered extensive damage in the 1989 Exxon spill  
16 and is also an area of special concern. As we have watched the  
17 pollution of the oceans worldwide from oil spills and other  
18 environmental disasters, and have experienced the heartache of  
19 the Exxon oil spill, we have come to realize how important it  
20 is to protect the lower Cook Inlet from oil development.

21 Clean water, clean air, and abundant marine sources  
22 that are safe to eat are important to our way of life. We do  
23 not want these values compromised, and we don't want these  
24 values mitigated. Communities affected by the oil spill have  
25 not even fully recovered from its effects.

1           This country needs to achieve its energy independence  
2 by encouraging conservation and developing alternative energies  
3 rather than continuing its dependence on oil and other pollut-  
4 ing hydrocarbons. Dependence on oil can be drastically reduced  
5 by promoting intensive research into emerging technologies  
6 using photovoteqs (ph), fuel cells, and other alternative forms  
7 of energy, as well as energy conservation. We've been pretty  
8 retrogressive since the Carter years when a lot of these things  
9 were instituted and then undone by the Reagan/Bush era. Some  
10 oil reserves should be left also for the future as -- for as  
11 yet undeveloped technologies.

12           The Kachemak Bay Conservation Society strongly  
13 opposes Lease Sale 149 and urges the federal government to  
14 cancel the sale. The Clean Water Act is supposed to protect  
15 our waters from pollution. However, under its provisions, oil  
16 companies are granted permits to pollute. The drilling plat-  
17 forms in upper Cook Inlet have not abided by their permits. We  
18 are concerned about chronic, long-term pollution. What are the  
19 effects of such pollution on the marine food web? It's finally  
20 time to consider zero discharge for all rigs in the Inlet.

21           We also have strong concerns about the impacts of  
22 exploration, development, and production. Exploration brings  
23 seismic testing, which can kill fish and marine mammals.  
24 Development and production bring the possibility of accidents  
25 and spills, as well as pollution from dumping of drilling muds.

1 We find the 87-percent risk of a serious spill totally unac-  
2 ceptable. Additional drilling rigs in the Inlet increase the  
3 dumping of toxic drilling muds and create possible conflicts  
4 with fishermen who use these areas. We also contend that  
5 drilling in the lower Inlet would likely bring increased oil  
6 related tanker traffic into Kachemak Bay and lower Cook Inlet.

7 Another concern is that despite having some of the  
8 most treacherous waters in the world in Cook Inlet, we have yet  
9 to institute any tug requirements for tankers or any coherent  
10 tanker traffic navigational safety plan, a major requirement of  
11 the Alaska Oil Spill Commission. Absolutely no drilling should  
12 go forward without addressing this issue. There have been  
13 recently, numerous incidences in Cook Inlet where tankers have  
14 lost power and have been disabled. Tankers, drilling plat-  
15 forms, and especially pipelines will be vulnerable to damage  
16 from volcanism, earthquakes, and tsunamis. So far, we've been  
17 extremely lucky, but the odds are against us.

18 Oil leases in lower Cook Inlet increase our chances  
19 of suffering another major devastating spill, and that's a  
20 chance we do not want to take. Interestingly, big industries  
21 like oil and timber usually tout development as a jobs opportu-  
22 nity. Those who benefitted most from the Exxon Valdez oil  
23 spill cleanup were often from other states or were a minority  
24 of the local population. The reality is that most of the  
25 workers in both industries are brought in from outside, and

1 maybe about 12 percent of our local people will be hired.

2 Most of the new employment will be low end service  
3 jobs. Meanwhile, the local communities will experience the  
4 growth and have to pay for the required additional services  
5 through increased taxes. Most residents do not receive any  
6 benefits from these oil leases. In fact, if anything, their  
7 quality of life declines, and their expenses go up.

8 Sociological impacts to a community are very real,  
9 but they are rarely addressed by EIS planners. The spill had  
10 significant impacts on many coastal communities, and these  
11 effects take a long time to correct. An oil lease in lower  
12 Cook Inlet would have drastic impacts on Homer. The demo-  
13 graphics would change as more oil workers and their families  
14 move here.

15 Concomitant problems, such as alcohol and drug abuse,  
16 domestic violence, child abuse, and increased crime are just  
17 some of the social problems that have come in the wake of the  
18 oil spill, and potentially, these can come with sudden  
19 increased development. And certainly, with the high proba-  
20 bility of another big oil spill, we will be severely affected  
21 again. So who pays these costs, and who benefits? And besides  
22 that, federal oil lease sales generate no returns to the State  
23 from bids or royalties.

24 Our local economy is tourist and fishing oriented.  
25 Tourists are not coming here to see oil rigs and development.

1 In fact, oil pollution, as demonstrated by the Exxon Valdez oil  
2 spill, is detrimental to the visitor industry. Many businesses  
3 suffered economic loss in the wake of the spill and are still  
4 struggling to recover. We do not want to jeopardize our  
5 tourist and fishing economy in the future by developing oil  
6 leases in the lower Cook Inlet.

7 Environmental degradation that oil development will  
8 bring includes reduced air quality, chiefly from the natural  
9 gas flares. Homer and lower Cook Inlet currently have excel-  
10 lent air quality. In contrast, the Kenai/Nikiski area is  
11 do- -- which is dominated by the oil industry, is already the  
12 most polluted area in EPA's Region X because of toxic emis-  
13 sions. The toxic emissions from an oil rig equal a small city.  
14 It's not acceptable to us to add the equivalent of several  
15 numerous small cities' toxic emissions to lower Cook Inlet.  
16 There.....

17 (Applause)

18 And there are absolutely no guarantees right now that  
19 the oil industry will operate cleanly. The Kenai/Nikiski area  
20 has a history of industrial abuses, including illegal dumping,  
21 like the Poppy Lane incident and other pollution problems. And  
22 we don't want that in the lower Cook Inlet region.

23 Prevention and response capability in Cook Inlet is  
24 also below par. While Nikiski and Drift River are among the  
25 most dangerous ports, the Inlet is the only significant ship-

1 ping area not protected by large-scale oil spill response  
2 organizations such as the Marine Spill and Prevention Corpora-  
3 tion or the Alyeska CISPRI and Alaska Clean Seas, which,  
4 unfortunately, are inadequately -- are inadequate as presently  
5 constituted.

6 The Kachemak Bay Conservation Society urges you to  
7 cancel Lease Sale 149. It's time this nation explored true  
8 energy independence by developing clean alternative energy  
9 sources and by accentuating conservation. Thank you very much.

10 MR. BROCK: Thank you.

11 (Applause)

12 MR. BROCK: Charles (sic) Lotscher, followed by  
13 Brother Isaiah.

14 **PUBLIC TESTIMONY OF MR. CLAUS LOTSCHER**

15 My name is Claus Lotscher. I live -- P.O. Box  
16 1741.....

17 MR. BROCK: Could you spell your last name to be.....

18 MR. LOTSCHER: L-o-t-s-c-h-e-r.

19 BY MR. LOTSCHER (Resuming):

20 I represent myself and my children. I want to voice  
21 my opposition, and use just one out of many reasons why I do  
22 not want this oil lease sale to go on, and that's the danger of  
23 a tsunami created by Augustine Volcano.

24 EIS mentions the 1883 eruption of Augustine, which  
25 created a tsunami of 7 to 9 meters, which is roughly 30 feet,

1 and reached Nanwalek within 30 minutes. I quote:

2 "Some damage was done in lower Cook Inlet."  
3 That's the only commentary to this tsunami. It doesn't say  
4 that it happened, luckily, during a minus tide.

5 We know that a tsunami destroyed large areas in  
6 Hawaii. The tsunami was created on Adak Island in the  
7 Aleutians. Big part of the city of Hilo in Hawaii were  
8 destroyed by a tsunami which was created in Chile, South  
9 America.

10 There are simple areas -- or there are areas where we  
11 can extract oil, but there are also areas that are too sensi-  
12 tive, environmentally too precious, too hazardous, and too  
13 beautiful. There are areas you just have to stay off. Cook  
14 Inlet and Shelikof Strait are all of that. We cannot develop  
15 them. Thanks.

16 MR. BROCK: Thank you.

17 (Applause)

18 MR. BROCK: Brother Isaiah, followed by Julie C-e-s-  
19 a-r-i-n-e.

20 BROTHER ISAIAH: That is Julie Cesarine.

21 MR. BROCK: Thank you.

22 **PUBLIC TESTIMONY OF BROTHER ISAIAH**

23 Oh, like to welcome you brothers to Cosmic Hamlet by  
24 the Sea. And, oh, you mentioned the April 19th closing of the  
25 sale, or how did you relate to the April 19th.....

1 MR. BROCK: Comments would be received up till that  
2 time.

3 BROTHER ISAIAH: Up to that time. Well, my birthday  
4 is April the 19th.

5 MR. BROCK: And that's the way we planned it.

6 (Applause)

7 BY BROTHER ISAIAH (Resuming):

8 And my living here in Homer's been since 1959, and  
9 when the oil leases were sold out here in the Bay, I believe it  
10 was by Egan, well, we campaigned for Brother Hammond to buy the  
11 oil leases back. And he did, and procedures were taken that  
12 the oil leases were bought back.

13 So I believe that we have a cosmic obligation to  
14 Mother Nature, to ourselves, and to the love of our fellow man  
15 here in this community, to brothers and sisters, and I think we  
16 ought to evolve into a higher cosmic view of life and the care  
17 of Mother Nature and let this oil lease go by the wayside at  
18 this time.

19 So we love you, brothers, for all the good work  
20 you've done, but I think the oil lease should be -- go by the  
21 wayside this time. So thank you very much, and a lot of love  
22 to all the brothers and sisters that have come to give their  
23 testimony and to give perfect, beautiful information relating  
24 to this ongoing process. So thank you very much.

25 MR. BROCK: Thank you.



(Applause)

MR. BROCK: Julie?

MS. CESARINE: I'm Julie Cesarine.

MR. BROCK: Okay. And then she'll -- Julie will be followed by Joy Post.

**PUBLIC TESTIMONY OF MS. JULIE CESARINE**

And I'm privileged to follow Brother Isaiah. And my name is Julie Cesarine. I -- my box number is 812 in Homer. And I represent the Rainbow Hemp Farmstead, all the people, the critters living on that land and flying over it.

And I want to thank you well-intentioned gentlemen for all the work you've done in trying to make life better for us on this planet. I hope that you are enjoying your stay in Homer. It's a beautiful, loving, forgiving community. We are blessed beyond belief.

Even now, when a good half of us are ill with the influenza that is affecting this city, our nation, and possibly the world, and I think it's very significant that we are suffering at this time because we have polluted our environments, our physical environment, our spiritual and moral environment, to the point of awareness. I guess it's awareness that brings us here. And you see, it's an ill wind that blows no good.

And we have all come together here, and we stand together, and praise the Lord, we have a large number of young people in our audience tonight, and there are many, many more.

1 And this is what they are going to inherit. And they love  
2 this, and they want to live in this fine community and on our  
3 beautiful planet Earth.

4 You did precipitate our coming together, and I hope  
5 we can receive you again at a more casual and loving time. You  
6 don't want to come back when our ire and our anger and our  
7 sorrow and bitterness are magnified and that we stand many,  
8 many, many more because this is a time of self-reflection, and  
9 it is a lenten time, and it's probably appropriate that it  
10 comes at this time. It's a looking into ourselves and to know  
11 what our real priorities are, that we want a healthy environ-  
12 ment.

13 We want -- if you could do anything for us, please,  
14 you will promote, in whatever capacity in our government,  
15 our -- it's called alternative energy, but I hope one day it  
16 won't be alternative. It will be the energy that comes from  
17 the sun, that comes from the wind, and from our natural forces,  
18 and that we should use -- save our oil. As Charles Davis said,  
19 save it for a time for those very important things that we need  
20 it for, for pharmaceuticals and plastics.

21 And we would like to say that you instituted a time  
22 when we will have to do no more oil drilling and no more  
23 leases. And I thank you very much.

24 MR. BROCK: Thank you.

25 (Applause)

1 MR. BROCK: Joy Post, with Abby L-a-i-n-g.

2 And, Dick, would you please come back up here a  
3 second?

4 **PUBLIC TESTIMONY OF MS. JOY POST**

5 Hi. My name is Joy Post. I live on Kachemak Drive  
6 in Homer. And I'm not going to read everything I wrote out,  
7 but I just wanted to say a few things.

8 The damages from a spill, we know today, can never be  
9 eradicated, reversed, or glossed over. No matter the quantity  
10 or the quality of gear on hand to clean up a spill, it would be  
11 a rare day that the seas would be calm enough to have this gear  
12 do even a tiny bit of good. Spills can't be cleaned up, and we  
13 know that.

14 Today our marine environment suffers from pollution  
15 and habitat destruction, leading to the loss of several million  
16 tons of edible marine fish a year. This is not acceptable. We  
17 need clear policies that will care for the marine environment,  
18 not destroy it, as it is happening right now in Cook Inlet.  
19 Destroying areas like this for energy no longer makes sense.

20 Now, in 1992, 106 nations got together in Rio de  
21 Janeiro; United States was one of those nations. And they  
22 signed a treaty stating that the energy we use today is no  
23 longer acceptable to the world because of the damage it is  
24 doing. And it is time for all of these nations to look to  
25 different energy sources.

1 I think tonight you are seeing people here that are  
2 saying, 'We want other energy sources because we want our  
3 environment the way it is.' And I sincerely hope tonight,  
4 after hearing all the testimony, you will be the ones to start  
5 this treaty that was signed three years ago, making it into a  
6 valid working document for the good of our area, our state, and  
7 our nation. And thank you.

8 MR. BROCK: Thank you.

9 (Applause)

10 MR. BROCK: Abby, followed by Larry Smith.

11 **PUBLIC TESTIMONY OF MS. ABBY LAING**

12 Hi. My name is Abby Laing, and my address is 35035  
13 Wilbur Street. And I think that we should vote no on Proposi-  
14 tion 149 because, for one, it will wreck our view of the moun-  
15 tains.

16 There's over a 70-percent chance of an oil spill, and  
17 we, the Alaskans, will have to pay for the cleanup. We will  
18 also have to suffer in the fishing industry for those of us who  
19 fish or eat fish. The oil derricks will not bring any money  
20 into the Homer, Alaska, but in the event of an oil spill, we  
21 all have to pay a whole lot.

22 If they want to dig oil, they can go elsewhere. It's  
23 our future. Why wreck it?

24 MR. BROCK: Thank you.

25 (Applause)

1 MR. BROCK: Larry Smith, followed by Larry K-l-i-z-  
2 n-a-r.

3 PUBLIC TESTIMONY OF MR. LARRY SMITH

4 I'm Larry Smith. I represent the Kachemak Resource  
5 Institute. For three years after the oil spill, we were the  
6 sponsor of the Cook Inlet branch of the Oil Reform Alliance. I  
7 brought a sample case with me today 'cause I didn't want to  
8 load my pickup. These are the last documents related to those  
9 three years' work that I have in my house. I made a couple of  
10 trips with my truck from there to take them over and shove them  
11 in a room at the office.

12 We don't have any more faith in government, although  
13 we recognize that some of the best environmentalists work for  
14 government agencies, including the Minerals Management Service,  
15 work for oil companies. And they are amongst the many people  
16 who would tell us about the shortcoming in both the govern-  
17 ment's ability and will to enforce the law. The Coast Guard,  
18 the EPA, agencies of the State of Alaska do not have a strong  
19 enough will to enforce the law when they come up against the  
20 political strength of the oil industry.

21 So I'm going to give you the names of these documents  
22 in this case for your record. I looked only at the ones you  
23 had listed, and I didn't see these amongst your references, and  
24 they are amongst the most useful when we decide these issues  
25 otherwise.

1 (Pause, laughter)

2 Our guess, you know, it's much better to have these  
3 meetings with people talking to their neighbors because that's  
4 the most important outcome of these gentlemen coming to town,  
5 is that we get our act together once in a while. We owe them  
6 some thanks for that.

7 The first document.....

8 (Laughter)

9 We have a document here prepared for the Department  
10 of Revenue, the State of Alaska, by the Director of Petroleum  
11 Accounting at the University of North Texas. It's called "Oil  
12 Industry Profitability in Alaska." It shows that the hourly  
13 profit rate, after-tax profits, earned by the producers, ex-  
14 pipeline and Valdez from the North Slope, to be \$463,144 per  
15 hour, 24 hours a day, for each of the first 10-1/2 years of ANS  
16 production, and it hasn't gone down much since. This is after  
17 all expenses and taxes, does not count the down-range profits  
18 from shipping, from manufacture, and for sale to consumers.

19 And it just makes me wonder why those same companies  
20 who also operate in Cook Inlet are now willing to come forward  
21 and put the money into prevention and response activities, that  
22 they can clearly afford. But what bothers me the most over  
23 these years is that the amount of money that goes into lobbying  
24 in places like Juneau and Washington, D.C., the amount of money  
25 that goes into public relations campaigns and television adver-

1 tising, trying to sell the cleanest of the industry would go a  
2 hell of a long way to creating a real prevention program to  
3 keep oil in the market place and out of the environment.

4 When I see that commitment from these companies, or a  
5 commitment from government, to make the big oil companies  
6 behave that way, then I could start to consider -- just start  
7 to consider -- supporting an oil and gas lease sale, but cer-  
8 tainly not in a sensitive area.

9 The other documents that I have here that somehow  
10 escaped reference in this Environmental Impact Statement are  
11 the documents about Cook Inlet by the State of Alaska Citizens  
12 Oversight Council on Oil and Other Hazardous Substances, "A  
13 History of Alaska's Oil and Hazardous Substance Release  
14 Response Fund." These documents are the Alaska Department of  
15 Environmental Conservation "Draft Oil Discharge Prevention  
16 Contingency Plan" that was put on the back burner in the last  
17 Administration and no longer represents rules that anybody's  
18 going to have to pay much attention to.

19 One of the most basic documents that other people  
20 referred to, "Spill: The Wreck of the Exxon Valdez." This is  
21 the work of the Alaska Oil Spill Commission. This represents a  
22 compilation of studies and analyses by some of the most expert  
23 consultants in the world. And they, like anybody else with  
24 real expertise, identify Cook Inlet not only as a place where  
25 you're going to have oil spills, but the most likely place for

1 the next large oil spills.

2 (Applause)

3 This is some of the "Alaska Marine Ice Atlas," and it  
4 was evidently not used for a reference in the analysis of ice  
5 effects for other activities associated with this oil and gas  
6 lease sale. It comes from the Arctic Environmental Information  
7 Data Center at the University of Alaska.

8 We have here a report that was done by the folks that  
9 operate the prevention and response mechanism at the Sullenbow  
10 (ph) Terminal in the Shetland Islands. And it was also refer-  
11 enced by other people, and it's a document which is directly  
12 aimed at the safety of navigation and oil spill contingency  
13 plans in Cook Inlet.

14 This is a document -- I guess I should stack all of  
15 these up. There's five volumes of this report of the Committee  
16 on Interior and Insular Affairs. Of course, that's the commit-  
17 tee Don Young has now, but when George Miller had it, this is a  
18 study of the Alyeska Pipeline Service Company covert opera-  
19 tions. The President of the Oil Reform Alliance, the operator  
20 of a charter business in Valdez, fishermen, and others received  
21 a settlement, after a very long time dealing with Alyeska,  
22 because Alyeska had to admit, yes, they did tap these folks'  
23 telephones after the oil spill; yes, they did get into these  
24 people's mail; and, yes, they did owe them some money. And  
25 that's another example of why people around here don't have a



1 hell of a lot of faith in big oil.

2 (Applause)

3 There's a really good work done right here in Homer,  
4 Alaska, mostly by Michael O'Meara, the curator of the Darkened  
5 Waters exhibit for the museum that's now touring the nation.

6 (Applause)

7 The written record that goes with that was written by Nancy  
8 Lord. It's called "Review of the History, Science, and Tech-  
9 nology Associated With the Oil Spill and Cleanup." That's a  
10 document you gentlemen should read.

11 Oh, there's another volume on the covert operations.

12 Here's something you should see in evidence. The tag  
13 that just fell on the floor says that this is an evidence tag  
14 of the Alaska State Troopers. This is a little squid. When  
15 Don Young and Frank Murkowski and an admiral and some other  
16 folks from the Department of the Interior came visiting Homer  
17 after the Exxon Valdez oil spill, and the representatives of  
18 Exxon had a dog and pony show going on in the City Council  
19 Chambers we just came from, the representatives from Exxon were  
20 holding up clean pom-poms and telling the bigwigs from Washing-  
21 ton, D.C., there was not going to be any oil in Kachemak Bay,  
22 our friends in Port Graham sent us over -- and we got them off  
23 the plane and walked in just when that statement was being  
24 made -- dead things from the beaches, oiled pom-poms.

25 The meeting kind of came apart at that point. There

1 was very little time left for conversing with Exxon. Convicted  
2 once again. Another reason it's really hard to have faith  
3 around here.

4 (Applause)

5 Anyway, finally is, another thing that shakes my  
6 faith, there's only one reference -- since I'm not as good a  
7 student as Aaron Wind (ph) or some of these other guys  
8 upstairs, I didn't really get to read this whole Environmental  
9 Impact Statement. But I did read these back-to-back state-  
10 ments:

11 "However, the effects on fisheries resources due  
12 to oil spills in the cumulative case are not  
13 expected to be much different than those result-  
14 ing from the base case. This is because effects  
15 to fish populations due to oiling generally are  
16 low and not expected to be as great as natural  
17 environmental percubations (ph)."

18 A percubation is something that doesn't disturb you very much,  
19 I think.

20 All right. The next line is headed, "Commercial  
21 Fishing."

22 "Commercial fishing is the most likely source to  
23 dramatically affect finfish abundance in the  
24 sale area over the 19-year life of the proposal.  
25 Species most heavily fished are most at risk,

1 including sockeye and king salmon."

2 And I guess that suggests to me that this may be more useful as  
3 an Environmental Impact Statement about commercial fishing.

4 It's quite plain if you have an oil spill and you can't have  
5 those fishermen out there killing salmon, that the salmon are  
6 going to be a lot more abundant.

7 (Laughter, applause)

8 Anyway, I really do think that the cumulative effects  
9 of development activities section of this document is particu-  
10 larly weak. It lacks a real history of prevention; it doesn't  
11 lay out the costs and benefits very clearly. It's really  
12 important to know where the money is going to go and what it's  
13 going to be used for. If it's going to go downstream and  
14 profits to big oil, then it's going to have an entirely differ-  
15 ent effect than if it was spread around here.

16 And until government starts observing the law -- like  
17 these very Acts that the gentleman was discussing when we  
18 began, the National Environmental Protection Act, the Endan-  
19 gered Species Act, the National Pollution Discharge -- the  
20 NPDES, whatever that stands for -- you know, we don't have much  
21 enforcement. The EPA did catch up with about a fifth of the  
22 number of the polluting violations that Trustees for Alaska,  
23 fishing groups, and Greenpeace caught up with. Government  
24 needs to accelerate the pace if it wants to participate in  
25 these things.

1 I think that the cumulative effects of other develop-  
2 ment activities, like logging on the Kenai Peninsula, which is  
3 being logged at two and a half times more acres annually than  
4 the Tongass National Forest. This is one of the principal  
5 places on the West Coast of North America for logging activi-  
6 ties, and it's treated to a pretty brief paragraph of something  
7 else that might have an effect.

8 Anyway, for all those reasons, I'm not ready to place  
9 my faith in either the government or the industry. But I also,  
10 you know, was given a pretty good reason years ago, before the  
11 pipeline was built when Buckminster Fuller came to Alaska, and  
12 I was one of those people that followed him around. And I got  
13 to listen to him for about 10 hours and actually got to talk to  
14 him. And at one time, Buckminster Fuller was out talking to  
15 the kids at the college, and he broke off late, and he raced  
16 down to a hotel where the assembled engineers and architects of  
17 Alaska were putting on a lunch for him.

18 He came in 45 minutes late, and he said, 'I really  
19 can't stay 'cause I promised these kids I was going to get back  
20 out there.' He said, 'We're making progress.' He said, 'And I  
21 don't eat this kind of stuff anyway.' But he said, 'All I  
22 wanted to tell you is that I know' -- it was kind of a Brother  
23 Isaiah message -- he said, 'I know,' to these architects and  
24 engineers, 'that you men' -- and they were all men; there  
25 weren't any women there -- 'that you men are too good and too

1 honest to promote the creation of a pipeline when you know the  
2 energy solution is elsewhere.' He said, 'I know you will not  
3 allow yourselves to be ruled by greed.' And then he went back  
4 to the kids.

5 Thank you.

6 (Applause)

7 (Pause - Whispered consultation)

8 MR. BROCK: How do you pronounce that?

9 (Inaudible response)

10 MR. BROCK: Okay.

11 (Pause - Inaudible comments)

12 **PUBLIC TESTIMONY OF MR. LARRY KUZNAR**

13 Quite some testimony. The guy left me standing here  
14 with this thing, so maybe I'll try to do it this way.

15 My name is Larry Kuznar, K-u-z-n-a-r. My address is  
16 3280 Sunrise Lake, Milford, Pennsylvania. And I've come all  
17 the way from Pennsylvania to be here tonight to testify to you  
18 gentleman, but also to the people of the community. I.....

19 (Applause)

20 I want to remind everyone that this is just not a  
21 local issue, but every citizen in the United States -- and  
22 that's who I'm representing tonight, me, one citizen of the  
23 United States of America -- has a vested interest in what goes  
24 on here in Cook Inlet and anywhere else in Alaska or the Lower  
25 48. And this is a very serious situation.

1 I spent 30 years as a wildlife conservation officer,  
2 recently retired. I also have a background in business, in  
3 retail sales and real estate. So I can see both sides of the  
4 issue, the economic side as well as the environmental side.  
5 And I have seen with my own eyes, in over a half a century of  
6 living and 30 years as a conservation officer, some very  
7 drastic changes that have happened in the eastern communities,  
8 both to their social structure and to the environment down  
9 there.

10 So if any of you really want progress fast, hell, get  
11 on a plane and fly on down, and I'll show you lots of it down  
12 there.

13 (Applause)

14 You don't have to drag it all up here, you know, and do up here  
15 what's happened down there. And I've had to work, in the  
16 course of my conservation work, against, or try to bring back  
17 things that can't be brought back once they're ruined. I want  
18 to remind the board here, as well as the people, that progress  
19 is a two-edged sword. It brings, along with additional income,  
20 a lot of social ills and environmental ills that take even more  
21 money or, as I've already said, can't be corrected once it's  
22 happened.

23 You've got a very pristine, beautiful area up here.  
24 Why mess with it? There is no oil crisis at this time. We  
25 don't have to have the additional production of oil. No one's

1 sitting in lines down in New Jersey or New York waiting for  
2 three or four hours for gasoline like they did back in the '70s  
3 when the oil cartel decided to put the squeeze on us, which, I  
4 believe, it was at the suggestion of one of our Presidents,  
5 Nixon somebody or other, I think, was the one.

6 Now, the oil industry, I've seen other types of  
7 industries down there, and oil. Oil was first discovered in  
8 Pennsylvania, in the United States, and it's still being pumped  
9 out of the ground down there. So we have gone through all this  
10 a century ago of what you're doing now in Alaska and facing,  
11 along with the ship accident as well as the regular accidents  
12 that do occur and are expected to occur when you deal with  
13 something as unstable as oil in such a fragile area such as  
14 Cook Inlet. So we've already been down that road down there.

15 I thought I might come up here and settle in the  
16 Homer area, and have been up last summer and up again this  
17 year, but came specifically tonight to say that I'm not coming  
18 here if I've got to stare at some platform out there where  
19 whales used to breach and.....

20 (Applause)

21 Mainly because I don't want to have my pristine aesthetic view  
22 spoiled by industrial nightmares, but also because I don't want  
23 to have to see something so beautiful die. I could go some-  
24 where else, I guess, and just let it die up here all on its  
25 own. But as a concerned citizen of the United States, I not

1 only have a vested interest, as every single person in the  
2 United States has, I've got a responsibility that I can't walk  
3 away from.

4 (Applause)

5 Neither can any of you. And neither can you, gentle-  
6 men, no matter what your job is. Your responsibility is to the  
7 citizens of the United States of America. And so as that  
8 concerned citizen, I urge you to reject any more oil expansion  
9 in Cook Inlet. Thank you very much.

10 (Applause)

11 MR. BROCK: Thank you.

12 (Off record)

13 (Tape Change - Tape No. 3 of 5)

14 (On record)

15 MR. BROCK: We're back on the record, and like I said  
16 earlier, we have about 45 to 50 names to go yet. And we will  
17 try to get through them as quick as we can, but we want to be  
18 sure that everybody has a chance to speak. One thing that  
19 would speed it up, if you would hold your applause. It's not  
20 that I -- I will stay here till you're done, but that will help  
21 you if you're anxious to get through. I don't have a time  
22 table tonight as far as I am concerned, so -- but that will  
23 help as far as you're concerned.

24 The next speaker is Richard Tyler, with Ola Martin on  
25 deck.



1 (Pause - Whispered consultation)

2 **PUBLIC TESTIMONY OF MR. RICHARD TYLER**

3 My name is Richard Tyler, and I have lived here in  
4 Homer for quite a while, about 40 years.

5 MR. BROCK: Would you spell your name, please, sir?

6 MR. TYLER: T-y-l-e-r.

7 MR. BROCK: We're having a problem getting every-  
8 body's name spelled right.

9 MR. TYLER: Well, you've got it right in front of  
10 you; I signed in.

11 MR. BROCK: For the record.

12 COURT REPORTER: I need it for the record.

13 MR. TYLER: Oh. All right.

14 MR. BROCK: I'm sorry.

15 MR. TYLER: R-i-c-h-a-r-d. And I've never spelled my  
16 name like that before. T-y-l-e-r. Commonly known as Toby, if  
17 you want to really come.....

18 BY MR. TYLER (Resuming):

19 A lot of -- by this time, a lot of things that I had  
20 planned to mention have been stated. But some of the things  
21 still haven't been said, a few of them.

22 One of them that's very important to me is the fact  
23 that, well, in exactly two and a half weeks will be the sixth  
24 anniversary of the oil spill. It's only been six years since  
25 the Exxon Valdez oil spill, and a lot has happened in that

1 time, and in fact, it seems like a lot longer.

2 But the two and a half weeks between now and that  
3 date are what I'm interested in because it was about two and a  
4 half weeks that the city of Homer and the people in Homer  
5 waited for that oil from the spill to come around along the far  
6 side of the mountains and enter our bay. And if you don't  
7 think that was a period of deep trauma for all of us, there was  
8 just really nothing we could do. It was on the way. Most  
9 disasters, like an earthquake, it happens and it's over, and  
10 then you clean up. But this was something that took a long  
11 time, and those first days were rather -- were very traumatic.

12 What -- I have a tape that I -- I happened to be out  
13 of the house, and I left my radio taping a program. And right  
14 in the middle of it, KBBIR, public radio, interrupted with some  
15 of the emergency Bush messages about the oil spill and about  
16 what people were doing at that time, and I still have it. It's  
17 fascinating to listen to.

18 (Microphone readjusted)

19 I don't know anything about these machines.

20 But anyway, among the things, they were asking for  
21 people to congregate out on the spit and help build log booms.  
22 And a lot of people, everybody in town practically, volunteered  
23 and did all kinds of things. They were asking for food, volun-  
24 teers to bring food to feed these people. It turned out the  
25 log booms were totally ineffective, but they were the only

1 thing we had, and it was psychologically important for these  
2 people to do these things. Just, you had to do something; you  
3 couldn't just sit and wait.

4 There were calls for people to work at the junior  
5 high school to make cages for the otters that were oiled and so  
6 on. This is -- this is what happened. And that's why all  
7 these people are here tonight, because we are still trying to  
8 get over that period of time.

9 Some of us, they began -- we began doing beach walks.  
10 Long before the oil entered the bay we began to pick up dead  
11 birds. In fact, a friend of mine and I were down on the beach  
12 between here and Anchor Point, and we picked up a little pigeon  
13 guillemot, one of the first oiled birds that preceded the oil.  
14 Of course, he'd been in the oil and then he'd flown up here,  
15 and he died in our hands. And that's the sort of thing these  
16 people went through, and we don't want to go through that  
17 again.

18 The Darkened Waters show, as somebody mentioned, is  
19 still on in our museum, and many people go in and relive these  
20 days and those horrible times. And it's also touring the  
21 nation.

22 Many people in town volunteered to go over and clean  
23 up Mars Cove. I'm amazed that nobody -- some of the people  
24 have actually testified and they didn't mention it. That was a  
25 major chore that these people did, completely voluntarily. And

1 they proved not so much that you can clean up oil because all  
2 it proved, really, was that people with no money and just the  
3 will to do it can do this cleanup and do just as good a job,  
4 and probably with less destruction to the environment, than all  
5 the money that Exxon was pouring into it.

6           Anyway, we're not past this, but what has happened  
7 now in the six years that have intervened, or the almost six  
8 years? Most of that time or various -- at least half of that  
9 time, of course, the cleanup activities were going on and vari-  
10 ous -- with various results. And finally, our Kachemak Bay  
11 critical habitat criteria was established. It was a critical  
12 habitat; it always has been a critical habitat since the buy-  
13 back of the oil leases that somebody else mentioned. But they  
14 finally put a little -- some teeth in it, perhaps not enough,  
15 but Kachemak Bay is one of the richest bays in the world,  
16 possibly the richest bay in the world, and it is now a critical  
17 habitat. And there's no way you can put oil out in the Inlet  
18 and expect it to stay a critical habitat. It'll be just a  
19 critical mess.

20           And that isn't in my notes, but, you know.....

21                           (Laughter)

22       .....things just got -- we also finally got the buy-back of the  
23 park accomplished just a couple of years ago, usually, ironi-  
24 cally enough, using State and federal money from the Exxon  
25 Valdez. This was once the richest bay in the world, and we

1 want to keep it that way.

2 And I'm going to skip on the fact that we don't have  
3 escort vessels and so on. All that has been mentioned by  
4 others. One thing that hasn't been mentioned, and a lot of  
5 people in town I don't think are even aware of it, but the  
6 Valdez Trustees are still trying to mitigate the -- use the  
7 money for sensible things around the state to correct some of  
8 the mistakes from the Valdez oil spill.

9 And there is a small parcel acquisition going on  
10 right now, and our Overlook Park up here where you pull out --  
11 and you must have driven past it if you drove down; maybe you  
12 flew. But if you ever drive down, you pull out at the pullout,  
13 you look down across that wonderful slide area, as we call it,  
14 with a few lakes at the bottom, and out over a very rich -- one  
15 of the few rich intertidal areas on this side of the bay, and  
16 then out over the Inlet. And should the Trustees go ahead and  
17 purchase that land so that it'll be preserved there so that we  
18 can always look at the view, it will be the extreme of the  
19 ironic if we have to look out at oil platforms from that point.

20 I think this is -- this whole thing is just ridi-  
21 culous. Our government, which is you people should be  
22 supporting -- coming to us and saying, 'Hey, we want to support  
23 fuel-efficient vehicles, and we want to put in some better Cook  
24 Inlet escort and cleanup capabilities.' And we want -- our  
25 government should be coming and telling us we want -- they're

1 going to do energy conservation efforts. Certainly, sensible  
2 conservation efforts on energy could get much more fuel than  
3 they're ever going to find out in the Inlet.

4 And I'll just end with what I had on here. Because  
5 of all this spill and the fact that it's only six years, I  
6 would say that your -- I would conclude by saying your timing  
7 is dreadful, your Draft EIS is shocking, and our answer must be  
8 a resounding no.

9 (Applause)

10 MR. BROCK: Olga Martin (sic), followed by Craig  
11 Martin (sic).

12 MR. MARTIN: Olga had to go home with a sick kid.

13 MR. BROCK: Okay.

14 **PUBLIC TESTIMONY OF MR. CRAIG MATKIN**

15 But it's Craig Matkin, M-a-t-.....

16 MR. BROCK: Oh, I'm sorry.

17 BY MR. MATKIN (Resuming):

18 .....M-a-t-k-i-n. I want to thank Toby. That was a great  
19 summary of the situation here.

20 I'm going to talk a little more specifically about  
21 the marine mammal section. I'm a marine mammal biologist and a  
22 commercial fisherman, a 22-year resident of the area.

23 I was -- to be honest, I was hoping for a lot better.  
24 I was hoping that I'd learn something from this, but I was  
25 absolutely shocked by the confusing and unscientific approach

1 that was taken in the marine mammal section. I just got this,  
2 and I've only had a short time to review it, and I haven't  
3 looked at the rest, but I will. Many of the statements seem  
4 biased and conflicting. I'll give you a few examples. I think  
5 Daniel Zatz mentioned that -- this, but I'll detail it a little  
6 bit more.

7 For the North Pacific humpback whale population, you  
8 list numbers of 1,200 to 2,100 as a population for the entire  
9 North Pacific. Then you state that there's an estimated 1,247  
10 humpbacks from Cook Inlet to the Barren Island -- or to the  
11 Shumagin Islands -- excuse me -- during the feeding season.  
12 Now, that would indicate that 50 percent or more of this entire  
13 North Pacific humpback whale population uses this area. Now,  
14 this is the area from the lease sale down to the Shumagin  
15 Islands about 350 miles south, and it would be the path that  
16 oil would take if it was to leave the oil spill -- or the lease  
17 area.

18 Now, as he said, as Daniel stated, later on in this  
19 document -- I list the page numbers here, and I will provide  
20 those, but I'm not going to go through it -- you say that only  
21 5 percent of the Pacific population uses the lease sale area or  
22 the adjacent waters. This is directly conflicting. I can't  
23 fathom this, how you can come up with something like this. It  
24 looks to me like bits and pieces of this were done by different  
25 people, shoved together, and there wasn't much communication on

1 it.

2           You state there was no effect on humpback whales  
3 after the Exxon Valdez oil spill in Prince William Sound.  
4 Well, what you failed to mention is that the humpbacks weren't  
5 even there at the time of the oil spill; they're migratory. In  
6 March of the -- by far, the majority of the whales are on the  
7 feeding ground. Maybe a few that might be earlier over winter  
8 in the Sound, but a majority are on the feeding -- are on the  
9 breeding grounds in the tropical Pacific, and they don't arrive  
10 till May or June. At that point in time, the free oil was on  
11 the beaches or down the coast.

12           The document states there was no mortality of Dalls  
13 (ph) porpoise or Pacific white-sided dolphins observed during  
14 or after the Exxon Valdez oil spill, even though the oil spill  
15 occurred in Dalls (ph) porpoise habitat. Well, how can you be  
16 so sure of this? It's -- well, you go on to say that,

17           "It seems possible that the effects -- that  
18 effects did occur on these porpoises but  
19 unlikely given the large amount of scientific  
20 research conducted in the area at the time and  
21 the opportunity to detect disoriented, sickly,  
22 or dead animals."

23           Well, first of all, there was absolutely no baseline  
24 data on Dalls (ph) porpoises in Prince William Sound before the  
25 spill, and there was no way to assess damages afterward. There



1 were no directed studies on Dalls (ph) porpoise. They were not  
2 observed or followed in any consistent manner following the oil  
3 spill.

4           There's -- I've followed marine mammals, humpback  
5 whales and killer whales, for hours to days at a time for the  
6 last 20 years. It's very difficult to pick out sickly animals.  
7 What happens is when an animal is sickly or in some way debili-  
8 tated, it becomes prey to another organism rapidly, or it dies  
9 and sinks. You see, very seldom do you have animals strand ont  
10 he beaches. You have thousands of animals that die of natural  
11 causes in the North Pacific, marine mammals, every year. And  
12 yet you don't see them on the beaches. There's no record of  
13 them. It's very, very difficult to track mortality. So to sit  
14 here and say there was no mortality is incredibly misleading.  
15 You don't know, and the possibility exists.

16           In assessing the effect of the oil spill on belugas  
17 in the lease area, the document first states that there could  
18 be -- or that there were 242 belugas seen at one time in Cook  
19 Inlet on a single day. It goes on to state that because  
20 belugas share some of the characteristics with killer whales,  
21 you'll use the number 7 as the number of belugas killed out of  
22 the 242 that were counted following a sizeable spill.

23           Now, where does the number 7 come from? It's pretty  
24 interesting. This is something I never would have dreamed up.  
25 Seven is the number -- besides being a lucky number, I guess --

1 is the number of killer whales that were initially missing at  
2 the time of the Exxon Valdez oil spill from AB pod in Prince  
3 William Sound. They were later confirmed as mortalities in a  
4 system that's used up and down the Pacific coast. So that's  
5 where this number comes from.

6 Now, the actual number that disappeared out of AB pod  
7 in that first year following the oil spill was 13, but I guess  
8 the number 7 is a better number. At any rate, that's where it  
9 comes from.

10 Now, the seven mortalities in the AB pod represented  
11 about 20 percent of that pod of 36 animals. I'm quite  
12 certain -- I'm the one that documented this. However, for  
13 reasons I can decipher from the EIS, only 15 percent of the pod  
14 was lost or -- was lost due to the oil. I don't know what  
15 happened to the other near 5 percent, or the other individuals.  
16 Somehow they decided that part of these whales wasn't killed by  
17 the oil. I'm not sure how they got there.

18 But what this tells you is that no matter what the  
19 size of a group, when you have an oil spill, you lose seven  
20 animals. That's the first thing that happens. It's something  
21 that I had no idea of and is one thing I learned from this  
22 document. I think that if you took 15 percent of the 242  
23 belugas, you'd come up with a number more along the lines of  
24 36, if you wanted to say that a certain percentage was always  
25 lost at the beginning of an oil spill. That might make a

1 little more sense, but I still think it's tenuous at best.

2 The document goes on to calculate recovery rates for  
3 belugas based on estimated reproductive rates and assures us  
4 that in two years the population would be returned to normal  
5 again. This type of approach would never, never withstand the  
6 scrutiny of any peer review group that I've ever dealt with. I  
7 wouldn't begin to launch something like this on a peer reviewed  
8 scientific group.

9 These poorly developed representations of risk pre-  
10 sented in the marine mammal section casts a shadow on the  
11 validity of the entire document, which I will take time to  
12 review. I pick out the examples of interest at this time.  
13 Nowhere is it clearly mentioned just how toxic the fumes or oil  
14 can be to a marine mammal if it's inhaled, or to any mammal for  
15 that matter.

16 There's so little baseline data visitations in the  
17 area that the sale of these waters or adjacent areas -- or  
18 there is so little baseline data for whales in this area that  
19 the sale of these waters is incredibly premature. I can't see  
20 how you can make any secure statements about what might happen  
21 to the whales in the area when you don't even know how many are  
22 out there for most of the species.

23 In the lease sale or adjacent waters are substantial  
24 numbers of the endangered humpback whale. There is no doubt.  
25 They feed here on an annual basis. The endangered sea lion

1 feeds and breeds in substantial numbers in areas adjacent to  
2 the spill -- or I should say soon to be endangered sea lion; I  
3 don't think it's been listed quite yet.

4 Let's not make their recovery more difficult by  
5 chronic exposure to hydrocarbons or the effects of a large  
6 spill. Let's halt this sale until we have a fair bit more data  
7 on what's out there and what the true effects might be. Thank  
8 you.

9 MR. BROCK: Thank you.

10 (Applause)

11 MR. BROCK: Michelle Jennings, followed by  
12 S-t-o-n-o-r-o-v, I believe it is.

13 **PUBLIC TESTIMONY OF MS. MICHELLE JENNINGS**

14 Hi. Welcome to Homer. This is a very beautiful  
15 community.

16 MR. BROCK: Thank you.

17 BY MS. JENNINGS (Resuming):

18 I really hope you recognize that.

19 My name is Michelle Jennings. I am a citizen of  
20 Homer. P.O. Box 2188 is my address. And I say no dirty  
21 industry. Please don't consider this meeting a pacification of  
22 extremist viewpoints. Respect and honor this political pro-  
23 cess, this public hearing. Please listen and honestly consider  
24 what my friends and fellow citizens have to say.

25 This decision affects our home, our children, and our

1       livelihoods. We are speaking for our health. If you really  
2       listen to us, you will hear a resounding no.

3               I love my home here in Homer. The beauty inspires me  
4       greatly. The thought of oil platforms, oily wastes, sludge,  
5       carcinogenic poisons sickens me. I ask you to recognize the  
6       bone of the matter, the most pertinent consideration of this  
7       issue. Please consider, Are these byproducts beneficial to  
8       mammals, plants, fish, trees, and children? Truly consider  
9       this issue. This is the question that we are asking.

10              The resulting answer is the most honest answer you  
11       can give to the question, Should we? Please don't, don't  
12       swindle us with shady business deals. This is not an economic  
13       consideration; this is a health consideration. Do not deny  
14       that fact.

15              Alaska already has a cleanup challenge created by all  
16       oil development: waste and spill disasters. We must cooperate  
17       in recognizing and remedying those problems before embarking on  
18       a hazardous short-term profit venture with high potential for  
19       irreversible damage. And that's the key word there, "irrevers-  
20       ible." We do not have the technology to prevent or remedy a  
21       disastrous oil spill.

22              Six years ago, our cleanup technology resorted to  
23       paper towels. We do not have the technology to clean up after  
24       an irresponsible industry dumping cancer agents into our water.  
25       We cannot control the inevitable. Let's not try. Do not deny

1 this fact: It is inevitable.

2 There are alternatives; there are healthy, productive  
3 solutions. Let's pursue them. Please show us true leadership.  
4 Make the ethical decision. Oil and Gas Lease Sale 149 is an  
5 absolutely preposterous idea. I say cancel it.

6 MR. BROCK: Thank you.

7 (Applause)

8 MR. BROCK: Dirk Stonover, S-t-o-n-o-r-o-v.

9 (No audible response)

10 MR. BROCK: Okay. We'll go Edgar Bailey, followed by  
11 Michelle Arm -- A-r-m-s-t-r-o-n-l, I believe it is.

12 (Pause)

13 **PUBLIC TESTIMONY OF MR. EDGAR BAILEY**

14 I'm Edgar Bailey, Box 2994, Homer, speaking on my own  
15 behalf.

16 As a biologist who has worked on marine mammals and  
17 birds for the last 26 years in Alaska, I'm adamantly opposed to  
18 the Lease Sale 149. I've seen the declines of many populations  
19 around the state, with great consternation, and I was very much  
20 involved in the cleanup activities and removal of birds in the  
21 Barren Islands and the outer Kenai coast in the sickening oil  
22 spill of 1989.

23 For nearly 20 years Homer residents have stridently  
24 opposed local oil development, going back to 1976 when we  
25 talked about the buy-back leases, as mentioned before. I'm not

1 going to go into more detail for the sake of time. And then  
2 most recently, we had State Lease Sale 78, and fortunately, the  
3 State leaders, even in the past Administration, deleted the  
4 tracts on the southern Peninsula in deference to the will of  
5 the people in this area.

6 I'm very much concerned about the long-term chronic  
7 pollution, which I don't think was adequately addressed in the  
8 Environmental Impact Statement, not to mention the likelihood  
9 of major spills, which is virtually a foregone conclusion over  
10 the long term. This region, as we've heard over and over, has  
11 already suffered enough with the Exxon spill in '89.

12 Homer is a unique community based on an economy of  
13 fishing and tourism and rural residential development, as well  
14 as the arts and crafts. The vast majority of people here came  
15 to avoid large urban areas and industrialized use. And I can  
16 certainly speak to that with great fervor myself, as an escapee  
17 of Southern California. I have witnessed the oil fields in  
18 Ventura County and Los Angeles County and seen what's happened  
19 in those areas, as well as other parts of the country, in the  
20 Gulf of Mexico and elsewhere. We don't want that here, in no  
21 uncertain terms.

22 Compare the industrial infrastructure at Nikiski and  
23 Kenai with the striking beauty and the different demographics  
24 of the Homer area. It's as different as day and night. And I  
25 think the majority overwhelmingly want to keep it that way. We

1 don't want to just become another Any Town, U.S.A., and cer-  
2 tainly not replicate what's happened in the upper Cook Inlet  
3 and the Nikiski industrialized area.

4 In this area, we have a convergence, so to speak, of  
5 six parks and refuges. The first state park in Alaska was  
6 created over here at Kachemak Bay State Park, and it's very  
7 vulnerable to any future oiling, both chronic or a major catas-  
8 trophe.

9 I find it very interesting when it was mentioned here  
10 by you folks that one of the purposes of this whole process is  
11 to inventory the oil that we have in this country. Well, I  
12 find it rather hypocritical at the same time that we're talking  
13 about opening ANWR and opening up new areas like this and  
14 special areas of concern, to lift the export ban. On one hand,  
15 we're talking about energy independence for the U.S., and on  
16 the other hand, we want to lift the export ban and ship it to  
17 Japan and the Far East. Now, does this make sense? I don't  
18 think so.

19 We are literally at the end of the road here in  
20 Homer, and we are sick and tired, quite frankly, of the bureau-  
21 cratic arrogance that repeatedly tries to force oil development  
22 and industrialization on this special area. I think we're  
23 all -- have had enough of it. When will it end? We've gone  
24 through it for 20 years. Let us maintain the sense of commu-  
25 nity and environmental integrity of this special area. Please



1 cancel these leases once and for all.

2 Kachemak Bay and lower Cook Inlet, frankly, is the  
3 Monterrey of Alaska. And it's certainly of equivalent impor-  
4 tance in productivity biologically as Bristol Bay where leases  
5 have been canceled.

6 I might ask you folks, Why were the leases canceled  
7 off of Monterrey, California? Can you answer that for us?

8 MR. BROCK: I di- -- I was not around, so I don't  
9 know what the.....

10 BY MR. BAILEY:

11 Well, I think a lot of it has to do, if you look at  
12 the demographics of that area and the wealth in that community,  
13 because of the extreme number of people there with a great deal  
14 of wealth, and I think that had a lot of power in the political  
15 specter.

16 Quite frankly, we must accept limits to growth. That  
17 might be the dominant paradigm in this country, but quite  
18 frankly, where does it end? What is the definition of "prog-  
19 ress"? Is more always better? Is bigger always better? Not  
20 so. And I think we have something very much worth defending  
21 here, and, quite frankly, I think it's quite clear that we  
22 don't want another Texas North in this community.

23 Please consider that. Thank you for your time.

24 MR. BROCK: Thank you.

25 (Applause)

1 MR. BROCK: Michael Armstrong, followed by Katie  
2 Kennedy.

3 **PUBLIC TESTIMONY OF MR. MICHAEL ARMSTRONG**

4 Yeah, that's Michael -- my name's Michael Armstrong,  
5 Michael as in the Saint, and Armstrong as in the astronaut.  
6 And I'm a 15-year Alaskan resident, and I live up on Diamond  
7 Ridge Road, on Diamond Ridge.

8 While I support all oil and gas dev- -- oil and gas  
9 development, not oil. While I support oil and gas development  
10 in some areas of America's Outer Continental Shelf, I do not  
11 support such development in lower Cook Inlet, and I urge the  
12 Minerals Management Service to cancel Lease Sale 149.

13 I must concede that we Americans have a serious  
14 Hydrocarbon Jones -- that's an addiction. Petroleum powers our  
15 monitor stoves (sic), Subarus, and Heskavarna (ph) chainsaws.  
16 Eventually, I hope that technological advances will increase  
17 the efficiency of oil and gas and provide new energy sources so  
18 that soon fossil fuels will become archaic. For now, we're  
19 stuck with the cursed stuff and must find new sources of petro-  
20 leum. This doesn't mean we must find new sources of petroleum  
21 here. Like a wise sage once said, 'We all have to poop, but we  
22 don't do it on a public sidewalk.'

23 So tonight, the question is not whether we should  
24 explore for oil and gas in federal lands, but whether we should  
25 do so in lower Cook Inlet. As responsible citizens of the

1 United States, we must balance local and state interests with  
2 the national interests in all those respects. Is it in the  
3 United States' national interest to lease and explore for oil  
4 in lower Cook Inlet? I do not believe it is.

5 Alaska, and especially Kachemak Bay in lower Cook  
6 Inlet, have become lands of escape for Americans who do live  
7 with oil development in their back yard, to people who drive  
8 all the way to Homer so that they can look out from Baycrest  
9 Hill and say, 'Lookit there, Thelma. They have oil rigs out  
10 there too, just like Louisiana.'

11 (Laughter)

12 No. They come here from thousands of miles away so  
13 they can say, 'My God. Look at those incredible mountains,  
14 that glorious sea.' They come here to be renewed by nature.  
15 To the visitors of Alaska, what is of the greater value, the  
16 modest federal oil revenues and oil supply that will come from  
17 oil and gas leasing of the lower Cook Inlet or the continued  
18 opportunities for recreation? I believe that our visitors  
19 would say recreation.

20 Those of you who have hosted visitors know how impor-  
21 tant it is for them to have places like lower Cook Inlet remain  
22 wild and undeveloped. We know the shock Americans felt when  
23 these lands were slimed by the Exxon Valdez spill, and we know  
24 the shock that would be felt if these lands were hit by another  
25 spill.

1           It is not enough to say, 'Protect these lands for our  
2 own sake.' If this were a borough or State lease sale, such an  
3 argument would have more merit. But this is a federal lease  
4 sale. As Americans, and not just as Homer residents, we have  
5 the patriotic obligation to balance the needs of our nation  
6 with our own wants and desires. Fortunately, the national  
7 interest is compatible with the local interest. To protect  
8 this national treasure of lower Cook Inlet, a treasure in fact  
9 created by the Alaska National Interest Lands Conservation Act  
10 of 1980, it is our duty as stewards of this land we call home  
11 to protest this lease sale and urge MMS to cancel it, not just  
12 for us, but for America. Thank you.

13           MR. BROCK: Thank you.

14                   (Applause)

15           MR. BROCK: Katie Kennedy, followed by Alice  
16 Haggerty.

17                   (No audible response)

18           MR. BROCK: Katie? Alice Haggerty?

19           MR. HAGGERTY: She left.

20           MR. BROCK: She left. Are you Haggerty?

21           MR. HAGGERTY: Yes.

22           MR. BROCK: Do you want to take her place?

23                   (Laughter)

24           MR. HAGGERTY: I do all the time.

25                   (Laughter)

**PUBLIC TESTIMONY OF MR. MAKO HAGGERTY**

My name is Mako Haggerty. That name is spelled M-a-k-o Haggerty, H-a-g-g-e-r-t-y. I'm a resident of Homer, Post Office Box 737. I've lived here for 13 years, and I'm a commercial fisherman.

I represent the North Pacific Fisheries Association here in Homer, a group of fishermen, and we would like to go on record in opposition of Lease Sale 149.

I'm not going to repeat a lot of our concerns because so many of our concerns have been eloquently presented here tonight. I would just like to caution you about the importance of the fishing industry to this community and the threat that oil poses to that industry. And it's not just what we see in terms of oil on the beaches and oil on top of the water, but also the things that we don't see, like the drilling mud that gets dumped over.

And if the past is any representation of what we have to look forward to in the future, there are no guarantees that the oil drilling practices and exploration is going to be a clean procedure out there. And when you mention the NPDES, whatever that is, and the precautions that are written in to protect the environment from spills, I'd like to remind you that a lot of this stuff is getting gutted out right now in Washington, and so there's no guarantees that these agencies are going to be there to protect us in the future.

1           And that's all I have to say right now. Also, is  
2 there a time frame to get a formal position.....

3           MR. BROCK: Written comments are due April 19th.....

4           MR. HAGGERTY: Okay.

5           MR. BROCK: .....1995.

6           MR. HAGGERTY: Thank you.

7           MR. BROCK: Thank you.

8                           (Applause)

9           MR. BROCK: I'm not sure how -- whether this is  
10 spelled right. It looks like it's K -- or it's probably  
11 spelled right; I just can't read it right. K-i-l-c-h-e-s from  
12 East E-r-d Road, Homer.

13                           (Simultaneous audience responses)

14           MR. BROCK: Would you please spell your name?

15           MR KILCHER: Yule Kilcher, Y-u-l-e K-i-l-c-h-e-r.

16           MR. BROCK: Okay. Thank you.

17           MR. KILCHER: You're welcome.

18                           **PUBLIC TESTIMONY OF MR. YULE KILCHER**

19           Most things that needed saying tonight have been  
20 said. Reference was taken mainly to fishing and industry. I  
21 happen to be, among other things, a farmer. Farming hasn't  
22 been mentioned. It has been much more prevalent 40, 50 years  
23 ago when I came to Alaska than it is now, for a variety of  
24 reasons. But we should -- I mentioned it because it -- farm-  
25 ing, next to fishing and tourism and arts and crafts, create a

1 harmonious popular culture in Alaska.

2 We haven't mentioned -- heard much about the Natives  
3 of Alaska, the people of Port Graham and Nanwalek, from English  
4 Bay, who have their own style of life in Alaska. We have  
5 mainly talked about Homer, but the lease sale in question here  
6 affects Kodiak, English Bay, Seldovia, Ninilchik, the whole  
7 area, you know. And my concern is not so much the same as of  
8 the ecological representatives here. I'm not a particularly  
9 anxious otter lover and so on. In fact, I detest them slightly  
10 since they recently are eating all the clams on my beach.

11 My concerns are of a rather broader cultural and  
12 political nature, namely, I think we have not digested yet what  
13 the optimists, the Chamber of Commerce types, call the benefits  
14 of the last Alaska oil boom. We are still suffering from the  
15 mentality of the people that the oil boom has attracted to  
16 Alaska. And most of them have found refuge, not just in the  
17 oil industry where a lot of them are good, hard, solid workers,  
18 most of them has found refuge in the Alaskan bureaucracy.

19 I see no need for more revenue for Alaska, specifi-  
20 cally since the revenue expected from that oil sale in question  
21 would create a lot of hardship, a lot of ecological and other  
22 problems. But specifically, it would create another boom  
23 mentality, a greater bureaucracy, an unhealthy social climate.  
24 We have not digested the last boom. We have not yet dealt with  
25 the negative aspects of this old oil boom. If some people want

1 to leave Alaska because they're not getting rich fast enough,  
2 they are welcome to leave or adjust.....

3 (Applause)

4 .....to a simpler way of life.

5 (Applause)

6 MR. BROCK: Thank you. Sallie Dodd, followed by  
7 Dayton Butters, I believe it is?

8 MS. DODD-BUTTERS: Actually, that's Sallie Dodd-  
9 Butters.

10 MR. BROCK: Oh, okay.

11 MS. DODD-BUTTERS: Sally with an -i-e.

12 MR. BROCK: I wanted to thank you for your assistance  
13 tonight before you start. So thank you.....

14 MS. DODD-BUTTERS: Well, my pleasure.

15 MR. BROCK: .....very much.

16 MS. DODD-BUTTERS: I hope I didn't miss anybody on  
17 the signatures. We want to let you know how we feel.

18 **PUBLIC TESTIMONY OF MS. SALLIE DODD-BUTTERS**

19 Dodd, D-o-d-d, as the Senator from Connecticut, and  
20 Butters. Butters.

21 I find it hard to believe that only a handful of  
22 people showed up in Anchorage for your public hearing.  
23 Although with executive oil jobs and only the forelands to look  
24 at, well, maybe they just don't care. However, they should,  
25 because that crack in Augustine is aimed right up the Inlet,



1 and a volcanic eruption isn't a matter of if but, rather, when.  
2 And dealing with that natural disaster could be hard enough on  
3 us without having a bathtub full of black death.

4 And as an eleventh generation American, and a 22-year  
5 resident of Homer, I came from New Jersey, the old home of John  
6 Rockefeller's Standard Oil and the new home of Rockefeller's  
7 Exxon. And while visiting New Jersey last year, I passed  
8 several miles of solar and hydro-powered vehicles going 50  
9 miles an hour on a major highway, from one university to  
10 another. One was a 42-seat hydro-powered bus. There were very  
11 few being pulled on platforms that had failed, and they'd come  
12 from New York State. So alternative energy already exists; it  
13 just needs to be used and nurtured economically.

14 I lost a lot of ancestors through the centuries in  
15 fights against greedy despots and injustice, and it's not in my  
16 genes to just lay down and die of cancer or asthma so big  
17 business can get fatter.

18 (Applause)

19 I was angry in the early '70s when this industry  
20 wanted to drill in Kachemak Bay. Gentlemen, how many of you  
21 were here in that -- those years? How many of you were here?  
22 How many even remember?

23 (Applause)

24 Well, I remember. And I was here. And I was angry then, and  
25 I'm angrier now that I have children. I'm here for the dura-

1 tion, and I'm not leaving.

2 And I learned in a college course in behavioral  
3 statistics how statistics can be twisted, and your Environmen-  
4 tal Impact Statement proves this one more time without a doubt.

5 You had better read this crowd very correctly, gen-  
6 tlemen. We're all getting really tired of beating our heads  
7 against your walls, and our patience is waning. Thank you.

8 MR. BROCK: Thank you.

9 (Applause)

10 MR. BROCK: Dayton Butters, followed by Andy  
11 Sagrove -- Sangrove? Go ahead, Dave.

12 **PUBLIC TESTIMONY OF MR. DAYTON BUTTERS**

13 Hi. My name is Dayton Butters. I live at -- here in  
14 Homer, Post Office Box 1223. I hope something is making itself  
15 perfectly clear here: This town doesn't want you.

16 Just a minute while I put my glasses on.

17 (Laughter)

18 The scenic beauty, the rest of America that comes  
19 here to visit this place, and the animal and marine resources  
20 cannot be sacrificed to an industry that has no concern other  
21 than profits and gobbling up a resource as fast as they can  
22 with no regard to the environment, the jobs generated through  
23 fishing and tourism, or the safety of the people who live here.  
24 You will spill, over and over again, and pollute with your  
25 chemicals and drilling muds. And when you are gone, what's

1 left for us to live with?

2 I'm following the only decent advice from former  
3 President Reagan: I'm saying no. No to 149.

4 (Applause)

5 MR. BROCK: Andy S-a-n- either g-r-o-v-e or  
6 -a-r-o-v-e.

7 (No audible response)

8 MR. BROCK: Okay. We'll go to the next one.  
9 Hillstrand.

10 (Simultaneous audience response)

11 MR. BROCK: Okay. Well, this one says Nancy, but,  
12 Dave, you can follow.

13 **PUBLIC TESTIMONY OF MS. NANCY HILLSTRAND**

14 Hello. My name is Nancy Hillstrand, P.O. Box 170,  
15 Homer, Alaska 99603. Speaking on behalf of Pioneer Alaskan  
16 Fisheries, Coal Point Trading Company, and the animals of Cook  
17 Inlet and Kodiak -- and the fish, of course.

18 My whole life is designed around fish, and pretty  
19 much everything that I do has some aspect of fish in it. I've  
20 raised salmon for 17 years; I now have a processing plant; we  
21 fish. My husband's raised here all of his life, and five sons  
22 that are also in the fishing industry. And we all say, the 20  
23 of us, say no to this Lease Sale 149.

24 Out in Cook Inlet here is a humongous gyre, and in  
25 that gyre is where all the larva collects for the king crab,

1 shrimp, clams, scallops. It's an extremely abundant place.  
2 But along with all the larva and all the life, we'll also  
3 collect all of the drilling muds, any type of a spill. Any  
4 type of pollutant will go down into that gyre and be surround-  
5 ing all of these larva.

6 In the Copper River, there's a gyre right off of --  
7 offshore there, and the Minerals Management Service canceled  
8 the sales because of this gyre. I'm asking you gentlemen to  
9 cancel this sale because of our gyres. We have a number of  
10 gyres, actually.

11 The currents in this area cannot sustain a spill. Do  
12 you think we have forgotten what happened in 1989? I've been  
13 tormented from seeing the otters gouging their eyes out and  
14 chewing their fingers off from when I went to Prince William  
15 Sound on a boat at the beginning of the spill, and it haunts me  
16 to this day. And I do not want to see it happen again here. I  
17 can't stand to happen -- for it to happen again. I don't  
18 really know what I'll do, to tell you the truth. I don't think  
19 that I'd be able to handle it.

20 I was so deeply distressed over what happened during  
21 the spill, as was everyone else in this town, that I really  
22 think you'd better listen to what we are saying. Listen very,  
23 very carefully because I don't think we can handle it again. I  
24 don't think our souls, our minds, and our spirits can handle  
25 another spill.

1           We're continually hearing, on the radio, in the  
2 papers, of drilling muds, of hydrocarbons, of pollution in  
3 Alaska. It doesn't make any sense to me at all. I just don't  
4 think that we can be bought off, as maybe some people can, and  
5 I really hope that you will listen, as I say. I've talked at a  
6 lot of different meetings. I've seen that people don't listen,  
7 and I think it's time that the citizens are listened to in this  
8 effect.

9           Under the oil -- under the ocean in upper Cook Inlet  
10 there's a pipeline, and during the spill, we found that  
11 those -- some of those were frozen -- would be frozen open so  
12 that if they tried to shut them down and shut the oil off,  
13 there's no way that they'd be able to shut the oil off if a  
14 major catastrophe such as an earthquake or a volcano went off.  
15 In fact, what precipitated that was the Drift River problem  
16 when the volcano blew. And with that kind of -- with no money,  
17 number one, and with all of these old pipelines under the  
18 ocean, we're just waiting for another problem to happen.

19           I was here in 1974 with the leases in Kachemak Bay,  
20 coming to the same meetings over and over again. I don't know  
21 why we have to keep going through this. With the George Ferris  
22 in the bay, and, you know, it's just -- it's like you're tor-  
23 menting us. And with all the money that's put into all these  
24 books and all this paper and all this waste, I just think it  
25 really has to stop. But the problem is, you're not listening.

1 And I'm asking you to listen because you need to listen to the  
2 people because we are America. And we are the people that are  
3 the government, and you work for us, and it's important that  
4 everyone realizes where we all stand.

5 My family has 10 grandchildren in it right now. One  
6 within another -- most of them, within another 10 to 15 years,  
7 they will have great-grandchildren. There's been four genera-  
8 tions of Hillstrands in Alaska, and they've all been in the  
9 fishing industry. Interesting. So please don't take this from  
10 us. We had to sit on the beach during 1989, and we don't want  
11 to sit on the beach again. We hire 25 people at our business  
12 right now in Homer, and without any fish, you've destroyed the  
13 lives of 25 families that work for us. That's just one small,  
14 tiny business in the town of Homer.

15 I hope that you'll look into the gyres and the cur-  
16 rents and realize the life that they hold and that what spills  
17 will go into them. And again, as I said before, please, please  
18 do not let this go through. From here all the way to False  
19 Pass would be affected by any disasters, and we know there will  
20 be one. And there is no way that we can get the oil up with  
21 the weather that we have here in the Cook Inlet. Thank you.

22 MR. BROCK: Thank you.

23 (Applause)

24 **PUBLIC TESTIMONY OF MR. DAVID HILLSTRAND**

25 My name is David Hillstrand, H-i-l-l-s-t-r-a-n-d.

1 Live at 1040 Bell Avenue, Box 1500, Homer, Alaska. I was born  
2 in Homer, Alaska, here. I've lived here all my life, except  
3 for three years in high school in the states. I later  
4 returned, and I've lived here all my life. I've fished mostly  
5 for my income, and I've done charters in the recent last two  
6 years.

7 We are an oil-user group, and we're dependent on oil  
8 for our livelihoods, and I do enjoy cheap oil. But I'd be  
9 willing to pay for it and sacrifice and do without some things  
10 to ensure the protection of this ecosystem and the economy  
11 here.

12 I have friends who work in the oil industry, and I  
13 know they need jobs, too. So somewhere you need to find the  
14 balance in all this. Most of them are willing to travel to  
15 other places and to work other areas. And so I don't know how  
16 affected they would be if this sale was blocked and, you know,  
17 if they'd be allowed to work in other nations or other places  
18 like that. But I'm sure they would be willing to travel to  
19 other areas and work.

20 One of the things you mentioned was the test on sea  
21 life. I don't know where you tested this sea life, how far  
22 below the rigs that you tested it, probably down here in Cook  
23 Inlet on the clams, maybe on some crab. But I know those tests  
24 are in parts per million, and you have a tolerance there, that  
25 it can be up to so many parts per million, but then if it

1 doesn't hit the certain mark, it's not dangerous. But that's a  
2 deviation there or something that should be looked at real  
3 carefully.

4           These rigs are 40 to 50 miles north of this area that  
5 you're proposing, 60 to 100 miles south of that area, so we're  
6 talking a 150-mile area. Also, this area up north is silty,  
7 mud, fast moving currents, so any tests done on the water up  
8 there would have filtered out these parts by the time they got  
9 down here. When you start drilling in the area down here where  
10 there's clean water, where there's an abundant resource -- the  
11 larva, the candlefish, the capelin, all the food sources, for  
12 the halibut moving in shallow that feed, the whales come in  
13 here to feed. This is a real critical habitat. There's nurs-  
14 eries for crab and for the flatfish off the bluffs and things  
15 like that.

16           One of the things you did mention was over-fishing.  
17 We are our own worst enemy, and we have over-fished our stocks,  
18 but we're trying to rebuild those stocks. If you were to have  
19 an oil spill happen on top of over-harvesting -- and that's  
20 another battle we are trying to fight right now through another  
21 council, and so that's in its own battle right there. But if  
22 you add an oil spill on top of it, it would be catastrophic.

23           I have seen cod from doing charters -- I don't know  
24 what kind of -- it's a cancerous sore I've seen on them. I  
25 don't know if it's caused from a parasite or whatever. I don't



1 know if it's caused from the oil. Most likely a parasite.

2 Also, too, it's been talked about: Save it; it'll be  
3 there for future years. It's like a bank account. It's -- and  
4 people mentioned it for our children. There's a mandate -- it  
5 sounds pretty much like there's a mandate to explore and to  
6 find the oil. And I don't know if we're going to be able to  
7 stop you. Is that a mandate for the military purposes, as the  
8 one gentleman mentioned? But if we -- if you do tests, we'll  
9 find out if we have it, but use it as a tool, you know, and  
10 save it.

11 And is it for more pollution and more dependence upon  
12 oil? We definitely need to try to get as far away from depen-  
13 dence upon oil or being out of the scenario of being -- with  
14 the Far East putting the pressure upon us as a nation.

15 Does our voice really mean anything? I've been  
16 through the public process, and I've heard the public say no to  
17 something, and I've seen the councils and high government  
18 officials go against what the people say. And that's a scary  
19 thing to see in the United States of America. I don't know.  
20 It sounds like we're going through the system here, and you're  
21 just listening to us. I really hope that you have balanced  
22 thinking in this and prevail in sound judgment.

23 You're moving, also, the oil from the ground. One of  
24 the last things that touched my thoughts was -- and that what  
25 you're pumping back in is water and mud to fill this void back

1 up, I think. It's what I've heard in the past. I think that  
2 that oil acts as a cushion or a shock absorber for the earth  
3 moving and things like that.

4 And in 1964 when we had the quake, it really messed  
5 things up. What will happen in the future years when we have  
6 more earthquakes and we don't have that cushion? I don't even  
7 know if that is true or not, what I'm saying here, but it's  
8 just a thought I've had. Maybe you should -- it'd be interest-  
9 ing to check into it. Maybe we do need that cushion to absorb  
10 the shock of the earth moving and things like that.

11 I'm definitely against the sale of -- and the lease  
12 of the oil in this area. The only portion I would give you is  
13 the very upper portion, the northern Shelikof area. When you  
14 go to Kodiak, that's another prime tanner crab grounds. You're  
15 probably going to find oil in these areas, too, because animals  
16 are cre- -- or the oil has been created from animals being  
17 smashed underneath large amounts of dirt.

18 And I know there's lots of crab and sea life in these  
19 areas that you're trying to get to, but you're going to -- you  
20 need to do it -- and if you do it -- what you do cannot affect  
21 other people. You can do whatever you want to do, but it's --  
22 when it starts affecting other people's lives, you need to  
23 really think about it and ask yourself, Is it worth it?

24 So thank you for your time.

25 MR. BROCK: Thank you.

1 (Applause)

2 MR. BROCK: McNamara? I believe they -- oh, you  
3 didn't mark your name back off?

4 (No audible response)

5 MR. BROCK: Okay. I couldn't tell by this asterisk  
6 whether it was asterisked and then taken off or not.

7 MR. McNAMARA: No. I'm here.

8 MR. BROCK: Okay.

9 **PUBLIC TESTIMONY OF MR. PATRICK McNAMARA**

10 I'm Patrick McNamara, P.O. Box 2672, Homer, Alaska.

11 I oppose Lease Sale 149. The recent news of the 800  
12 or so violations in upper Cook Inlet and over 4,200 violations  
13 of the Clean Water Act in the last eight years by the oil  
14 platforms and companies is reason and proof enough for me to  
15 oppose this lease sale. But other reasons exist.

16 This involves lower Cook Inlet. I can see it from my  
17 house. The eventual violations and spills from the rigs or  
18 pipelines or tankers will show up in some form on my beaches,  
19 along with the wildlife that is, in my mind, guaranteed to wash  
20 up on my beaches in some form -- slicked up.

21 Also, manmade devices -- platforms and such -- are  
22 vulnerable to the volcanoes and earthquakes that will occur.  
23 In the winter weather, it is icy, windy, and freezing and dark,  
24 and any spill or any damaged tanker will be stranded, and any  
25 chance of cleanup will be hindered, if any takes place.

1 Thanks.

2 MR. BROCK: Thank you.

3 (Applause)

4 MR. BROCK: Emily Johnngren, followed by Libby  
5 Bushell.

6 **PUBLIC TESTIMONY OF MS. EMILY JOHNGREN**

7 My name is Emily Johnngren, P.O. Box 2672, Homer,  
8 Alaska. And I'm here representing myself.

9 What I have read of the EIS and what I have learned  
10 in general terrifies me. Oil Lease Sale 149 is and will con-  
11 tinue to harm me personally. It will destroy the environment  
12 and our renewable industries, and it will prevent us from  
13 moving on to renewable, cleaner sources of energy.

14 Ever since I found out about Oil Lease Sale 149, I  
15 have had trouble sleeping. I have been anxious and sad. My  
16 anger and distress of the oil industry and government have  
17 grown, and they are making me feel completely helpless. This  
18 will continue if the lease sale becomes reality, and I know  
19 other people are suffering in this way.

20 The Clean Water Act disturbs me because it allows  
21 industry to pollute our waters to a certain extent, and still  
22 the oil industry violates the Act. The oil companies don't  
23 respect the environment, and they try to get away with all the  
24 pollution they can. The more drilling muds, cuttings, and  
25 produced waters that are dumped, the more that toxins like

1     radium, cadmium, and benzene will be accumulating in the  
2     animals and plants and ourselves.

3             The EIS never seems to mention what effect explora-  
4     tion and development will have on the immediate areas. For  
5     example, in a section about flare emissions, they say the  
6     effect on shore will be minimal because the emissions will have  
7     dispersed by then. What about the water and its inhabitants  
8     under the flares?

9             Also, we have a number of communities that rely on  
10    subsistence, which will be threatened by the increased pollu-  
11    tion from normal oil development as well as from the guaranteed  
12    small spills and the great chance of larger spills. We have  
13    five national wildlife refuges, a number of parks and pre-  
14    serves, and critical habitat areas. We should be doing every-  
15    thing to protect them. The lease sale is inconsistent with  
16    this protection.

17            How will the companies defend themselves from a major  
18    earthquake and a volcano eruption? How can the oil industries  
19    prevent destruction of damage (sic) from those -- destruction  
20    or damage from those natural occurrences? They certainly will  
21    not be able to adequately or quickly clean up the spill, espe-  
22    cially during a storm or where there is ice.

23            This area is still recovering from the Exxon Valdez  
24    oil spill, and this lease sale threatens that recovery. The  
25    EIS belittles the adverse effects that exploration and develop-

1       ment will surely have on endangered and threatened species, as  
2       well as non-endangered species. And their facts seem to depend  
3       on voluntary compliance from oil companies. Oil companies will  
4       only do what costs the least.

5               With the adverse effects on commercial fisheries, the  
6       EIS discusses space use conflicts, but also mentions a 15- to  
7       65-percent economic loss from an oil spill. Of course, this  
8       adversely affects fishermen and canneries. The EIS does not  
9       mention what unavoidable adverse effects there would be on  
10      Homer's tourism industry. Fishing and tourism are Homer's main  
11      sustainable economies. An oil industry will conflict with  
12      them.

13             The Minerals Management Service may say that talking  
14      about renewable energy sources is beyond the scope of this  
15      hearing, but I disagree. If we had renewable sources in place,  
16      we would not be here tonight. We would not be dependent on oil  
17      so much that you would be calling oil a vital part of national  
18      security. If anything, this utter dependence on oil is a  
19      threat to national security. Thank you.

20             MR. BROCK: Thank you.

21                               (Applause)

22             MR. BROCK: Libby Bushell?

23             UNIDENTIFIED SPEAKER: I think the Bushells have gone  
24      home.

25             MR. BROCK: Rachel Adams, followed by Eric Ranger?

1 UNIDENTIFIED SPEAKER: Ringer.

2 MR. BROCK: Ringer?

3 **PUBLIC TESTIMONY OF MS. RACHEL ADAMS**

4 Hi. My name is Rachel Adams, and I live in the  
5 Hidden Hills. My address is P.O. Box 2188, Homer, Alaska. And  
6 I'm here representing myself and my friends and most of the  
7 lower Kenai Peninsula.

8 I want to thank you for coming this evening to hear  
9 us out. I hope you had a chance to see the beautiful sunset  
10 over the Inlet tonight.

11 Lease Sale 149 is a mistake we cannot afford to make.  
12 Lease Sale 149 borders on five national wildlife refuges and  
13 four national parks and preserves. We have one of the most  
14 valuable ecosystems in the world here on the lower Kenai Penin-  
15 sula. Before we stick oil platforms in the lower Cook Inlet,  
16 we need to examine and focus on 827 incidents of dumping sewage  
17 in the upper Cook Inlet. Let us learn from our mistakes,  
18 please.

19 Stop thinking about money, money, money, and think  
20 about yourselves, your children, and your grandchildren. Think  
21 about the future. Lease Sale 149 is a mistake we cannot afford  
22 to make. And in closing, I want to thank the kids who stepped  
23 up to this microphone tonight. It is wonderful, maybe a little  
24 scary, to see a 12-year-old girl step up here and teach you,  
25 her elders, the reason why Lease 149 is a mistake, a big

1 mistake. And that little girl gives me a lot more hope than  
2 the government ever has.

3 (Applause)

4 MR. BROCK: Thank you. Eric Riner -- Ringer, fol-  
5 lowed by Steve R-u-z-a-n-s-k-i.

6 **PUBLIC TESTIMONY OF MR. ERIC RINGER**

7 Hi. My name is Eric Ringer, R-i-n-g-e-r. My address  
8 is Box 1072, Homer. And I'm representing myself, my wife, and  
9 my daughter.

10 I'm a local restaurant owner and a former member of  
11 the Homer City Council and the Port and Harbor Commission. And  
12 I am opposed to Lease Sale 149, and I would ask for you gentle-  
13 men to recommend that it be canceled.

14 Homer's economy, as everyone has mentioned, is based  
15 on tourism and fishing, and those of us involved in that indus-  
16 try do not feel that oil development is compatible with that.  
17 When I was on the City Council, the City did numerous public  
18 forums in the area as to what the people thought of development  
19 in the future for Homer. Oil development was overwhelmingly  
20 disapproved. The majority of people did not feel that that was  
21 compatible with what they wanted to see happen in the Homer  
22 area.

23 I was on the Council during the Exxon Valdez oil  
24 spill and certainly do not want to repeat that experience.  
25 Though Homer itself was minimally oiled, the effect on the



1 community socially was catastrophic. People are still recover-  
2 ing, both economically and mentally, I believe, from that.

3 Future oil development would create growth problems  
4 with -- by bringing more people to the area, necessitating the  
5 infrastructure of sewer, water, et cetera, which would probably  
6 increase tax burden in the area.

7 Some of the history I've had with oil is I got to  
8 Homer in 1976 on the very day that the George Ferris, which was  
9 an oil rig that was parked in Kachemak Bay, got swamped by a  
10 tide. Now, that was an oil spill of only -- I think it was  
11 around 600 gallons of diesel fuel. But it just goes to show  
12 that the unexpected can certainly happen. And while that was a  
13 small spill, it could be a lot larger spill if the rig had  
14 actually tipped over instead of just being swamped.

15 Another experience I have, when I was commercial  
16 fishing, I believe it was in 1979, there was a drill ship  
17 anchored in lower Cook Inlet between Augustine and the Barren  
18 Islands. And we fished around them all winter, and they basi-  
19 cally got thrashed. We talked to them; they actually drilled  
20 about four days out of the month. At one time, the ship almost  
21 rolled over due to heavy icing conditions and heavy sea condi-  
22 tions. And after that winter, they didn't come back. They did  
23 not like the lower Cook Inlet.

24 It's a very treacherous area. It's not like the  
25 upper Inlet where you just have tide and ice. The weather

1 conditions are horrid, and the drilling area is much deeper  
2 than the upper Inlet.

3 As we found in the numerous oil spills that have  
4 happened, both in Cook Inlet and with the Exxon Valdez, clean-  
5 ing up oil just doesn't seem to work. Oil booms don't work in  
6 anything less than slack tide and no waves. Those conditions  
7 very rarely exist in the lower Cook Inlet; you almost always  
8 have a strong tide and almost always have large wave action.

9 I would ask you to listen to the people in Homer.  
10 This is the area that will be most affected by Lease Sale 149.  
11 And I would ask you to recommend that it be canceled. Thank  
12 you.

13 MR. BROCK: Thank you.

14 (Applause)

15 MR. BROCK: Steve.....

16 MR. RUZANSKI: Ruzanski.

17 MR. BROCK: .....Ruzanski, and followed by Kent  
18 Castner.

19 **PUBLIC TESTIMONY OF MR. STEVE RUZANSKI**

20 That's R-u-z-a-n-s-k-i. Okay. And my address is  
21 2 -- Box 255, Homer.

22 I'm a newcomer to Homer, and like most people in the  
23 room, the first glance across the water over the bay and Inlet  
24 was an absolutely awesome display of beauty. Though I haven't  
25 as yet taken advantage of much of what's in store in terms of

1 wildlife, fishing, and other outdoorsy stuff, I have witnessed  
2 an awesome display of a different kind of wildlife -- the human  
3 kind. Homer's people is what I speak of, a community filled  
4 with wild-spirited people who love this beautiful little corner  
5 of the world and who care about the quality of life for them-  
6 selves and every other creature who lives here.

7 Lease 149, around here, is an endangered species. I  
8 urge that the MMS hear the voices that you hear in this hall  
9 tonight and send 149 down the road to extinction. It would  
10 be -- if 149 passes -- excuse me -- it would be one in a long  
11 series of human tragedies. Homer and its people will never be  
12 the same, another community's heart broken. Thank you.

13 MR. BROCK: Thank you.

14 (Applause)

15 MR. BROCK: Ken Castner.

16 **PUBLIC TESTIMONY OF MR. KEN CASTNER**

17 My name is Ken Castner, C-a-s-t-n-e-r. My winter  
18 address is P.O. Box 558, Homer. In the summertime, I spend my  
19 time between lower Cook Inlet and a fish camp in upper Cook  
20 Inlet directly across from Nikiski.

21 We're now five years from the signing date of the Oil  
22 Pollution Act of 1990, five years into a 15-year period where  
23 the oil companies are supposed to be progressing into double-  
24 hulled tankers. Today there is not one single architect, naval  
25 architect, in the United States that has the designs of a

1 double-hulled tanker in front of him.

2 The oil companies have not moved into double-hulled  
3 tankers and will do so only at the very last minute, probably  
4 about 10 years from now. As the tankers are coming up, they're  
5 just putting them -- they're just beaching them. They're --  
6 when their time is up within this 15-year phase-out period,  
7 they're retiring them from the United States' service.

8 I don't believe that the oil companies of the world  
9 are ready for a sale in lower Cook Inlet. A year and a half  
10 ago I had the opportunity to meet with the Secretary of Inte-  
11 rior, and at that time, he was a little bit sheepish about  
12 having to have oil sales anywhere. These are definitely not  
13 offers that anyone in the United States really care to receive.  
14 The people of Florida definitely don't want to have any OCS  
15 development. And the people of California definitely don't.  
16 And the people, generally, of Alaska don't either. And mostly  
17 it's because of the record of the oil companies.

18 My involvement with the Cook Inlet RCAC, I've spent  
19 literally hundreds of hours sitting around the table with oil  
20 people, and not only here in Alaska but in Washington, D.C.,  
21 and abroad. And there's one commonality, and that is, is that  
22 they dictate the terms. They tell you exactly what they want  
23 to do, how they want to do it, when they're going to do it, and  
24 they expect to be able to do that.

25 Well, it's a new day and age, and it's time for us to

1 dictate the terms on how we're going to allow these folks to  
2 come in and develop these resources.

3 (Applause)

4 At \$17.22 a barrel, it's not going to be any time soon. They  
5 are not going to be able to come in here and do -- develop  
6 lower Cook Inlet the way lower Cook Inlet has to be developed,  
7 and spend the money that it's going to take to mitigate the way  
8 that they need to mitigate.

9 Other people have spoken about the inability to pick  
10 up oil in seas of above six feet. It's just a non-entity.  
11 There's no response for an oil spill there. But beyond that,  
12 there's the prevention side of things where the folks in upper  
13 Cook Inlet won't even replace an old mud boat that they use for  
14 their primary response vessel and put in an up-to-date omni-  
15 directional tractor tug because it's going to cost them an  
16 extra million bucks a year.

17 We're really caught in a position here in lower Cook  
18 Inlet where, because there's production in upper Cook Inlet,  
19 the Secretary feels like, 'Well, I've got to come up with  
20 something in the United States so that the next -- in the  
21 election two years from now, this Administration isn't accused  
22 of having not had any oil development in the Outer Continental  
23 Shelf of the United States.' But it's not an appropriate  
24 event.

25 I'll tell you what: You guys can all come back, but

1 before you do come back, why don't you ring us up and we'll  
2 tell you what our conditions are. And when you can write an  
3 EIS and you can write a development plan that meet the condi-  
4 tions of the folks that live here, and make us believe that  
5 it's going to be developed in a safe way, in a prudent way, in  
6 a way that meets all the concerns that you've here tonight,  
7 then you can come back, and we'll have a lovely discussion.  
8 Thank you.

9 MR. BROCK: Thank you.

10 (Applause)

11 MS. BREIBY: Wendy Breiby. I was on the list after  
12 Steve Ruzanski?

13 MR. BROCK: Wendy who? What's your name?

14 MS. BREIBY: Wendy Breiby.

15 MR. BROCK: Breiby? After Steve who?

16 MS. BREIBY: Ruzanski.

17 MR. BROCK: Oh, you didn't have a star. I'm sorry.

18 MS. BREIBY: I thought I did, but, yeah.

19 MR. BROCK: Oh, okay. You're -- go -- yes, I have  
20 passed your name, but you didn't have a star, but you're.....

21 MS. BREIBY: You're right.

22 MR. BROCK: .....welcome to go ahead.

23 MS. BREIBY: Thank you.

24 MR. BROCK: Please spell your name.

25 MS. BREIBY: W-e-n-d-y B-r-e-i-b-y.

**PUBLIC TESTIMONY OF MS. WENDY BREIBY**

My P.O. Box is number 255 in Homer. I am definitely opposed to Lease Sale 149 and any other lease sale in any other part of the world. I'm new to Alaska, but what is happening here affects me just as much as the destruction happening in the rest of the world. Not only will this be devastating to this area but also to the rest of the world.

In fact, the reason I came here was to find a place where life still exists, where people care about life on earth, where life is more important than the almighty dollar. In this area, I've found much life and a wonderful community of concerned citizens. I cringe at the idea of a day where our children don't know what animals, trees, or any other life form are, a day where all of our surroundings are polluted and dead. The world will not survive on pollutants alone. In fact, we can't survive on pollutants at all.

If this day arrives, I guess you people can say that you were part of taking care of the population problem. I can only feel compassion for you people who are so caught up in money, power, and ownership that you fail to see the importance of such an ecosystem of life on earth, and that you will never feel the peace of mind as we feel when we're out in the wild with all its life. I know that until you understand what's around you will you be able to respect and appreciate it.

As long as the oil and gas industry and other big

1 industry have power, alternative energies, which we know and  
2 they know exist, will stay hidden on the back burner. We don't  
3 need another drop of oil. I don't believe that you would  
4 continue oil and gas production anywhere, and especially not in  
5 an area still recovering from the devastating Exxon Valdez  
6 spill, and where there is any life, especially the life that is  
7 fighting to keep their species alive. I don't even want half  
8 of a percent of life to be affected. Thank you.

9 MR. BROCK: Thank you.

10 (Applause)

11 MR. BROCK: Robert Halpin?

12 (Inaudible comment)

13 MR. BROCK: Looks -- H-a-l-p-i-n, Post Office Box  
14 1051, Homer.

15 (No audible response)

16 MR. BROCK: Peggy Kleinbder, K-l-i- -- K-l-e-i-n-b-  
17 d-e-r?

18 (Indiscernible audience response)

19 MR. BROCK: Okay.

20 **PUBLIC TESTIMONY OF MS. PEGGY KLEINLEDER**

21 I'm Peggy Kleinleder. That's K-l-e-i-n-l-e-d-e-r.

22 MR. BOUDREAU: That's too fast.

23 BY MS. KLEINLEDER (Resuming):

24 I'm sorry. K-l-e-i-n-l-e-d-e-r. Post Office Box  
25 367, Homer. I'm representing myself and my family.



1 I oppose Oil Lease Sale 149. I've lived in Alaska  
2 all my life. My husband and I and our two children have made  
3 our home in Homer for the past seven years. I see no logic in  
4 pursuing development of Alaska's few remaining oil fields now.  
5 It is possible that in the distant future our children or  
6 grandchildren will decide that the risks of permanent damage to  
7 wildlife populations and the environment is worth the temporary  
8 economic and energy gain from development of the limited oil  
9 resources. Let's leave that decision to them. We have no  
10 right to deplete and jeopardize the environment that their  
11 future survival depends on.

12 We need to begin today to make the sacrifices  
13 involved in shifting the emphasis from fossil fuels to conser-  
14 vation and renewable resources. We must protect our precious  
15 fisheries and tourism industries.

16 My husband and children are involved in the Shore  
17 Bird Sister Schools project in which school children in the  
18 Lower 48 and in Alaska monitor the migration of shore birds up  
19 the West Coast from South America to their breeding grounds in  
20 the Arctic. Mud Bay, here in Kachemak Bay, has been identified  
21 by the Western Hemisphere Shore Bird Reserve Network as one of  
22 the habitat locations that is essential for maintaining the  
23 health of the world population of shore birds. The migrating  
24 birds and whales of Kachemak Bay are precious to citizens of  
25 many countries. We have no right to jeopardize the environment

1 that supports these world treasures.

2 Imagine that you were planning to have elective  
3 surgery and that the surgeon told you that their techniques for  
4 sterilizing the instruments were not fully developed and that  
5 there would be a 100-percent chance of you getting hepatitis  
6 and a 72-percent chance of you getting AIDS. Let's not subject  
7 our oceans to those odds. Thank you.

8 MR. BROCK: Thank you.

9 (Applause)

10 MR. BROCK: Jonathan? Oh. Welcome.

11 MASTER KLEINLEDER: Thank you.

12 MR. BROCK: Let me see if I can get that down a  
13 little lower for you. There we go.

14 **PUBLIC TESTIMONY OF MASTER JONATHAN ALLEN KLEINLEDER**

15 Hi. My name is Jonathan Allen Kleinleder, and my mom  
16 just went up. I'm the same address as my mom.

17 I'm against the oil sale because it can kill many  
18 animals. The animals are depending on us because that this is  
19 their habitat. Many of us want to stop the oil sale -- lease  
20 sale. We are using a lot of tenacity to save the animals and  
21 their habitat. Oil and Homer don't mix. Cancel Lease Sale  
22 149.

23 (Applause)

24 MR. BROCK: Thank you.

25 MS. BUTTERS: I'm not on the list, but I have to go,

1 so I'm just going to do this now. Okay?

2 MR. BROCK: Pardon me?

3 MS. BUTTERS: I'm not on the list, but I have to go,  
4 so I'm just going to do this now.

5 **PUBLIC TESTIMONY OF MS. KIMA BUTTERS**

6 Okay. My name is Kima Butters, and my address is  
7 P.O. ....

8 MR. BROCK: Would you spell your last name?

9 BY MS. BUTTERS (Resuming):

10 Oh, I'm sorry. Kima, K-i-m-a, and Butters, B-u-t-  
11 t-e-r-s. And my address is P.O. Box 1223, Homer.

12 I'm here tonight, as is everyone else, to express my  
13 strong opposition to the Sale Lease 149. I was born in Homer  
14 and have lived here for 17 years and am proud to call it home.  
15 I plan to travel after graduating but know I'll be back. This  
16 land is too beautiful to stay away. I want to be able to come  
17 back and see it as beautiful as when I left. And I want my  
18 future children to see and understand why they, too, must  
19 unfortunately keep a constant vigil against those who would try  
20 to take places like this away.

21 The oil and gas companies have to start looking  
22 beyond today's dollars and ahead to tomorrow's losses. Prog-  
23 ress is one thing; blatant greed is another. Those running the  
24 oil companies just don't care. They don't have to; they don't  
25 live here. When the oil's gone, they'll move on, leaving us

1 with the death and destruction. That's all we have to show for  
2 this.

3 We are here tonight with a clear message: We love  
4 our home the way it is. And to the Lease Sale 149, we say with  
5 absolute conviction, We don't want it.

6 MR. BROCK: Thank you.

7 (Applause)

8 MR. BROCK: Bremicker, B-r-e-m-i-c-k-e-r, followed by  
9 Jennifer Edwards.

10 (Pause - Whispered conversations)

11 **PUBLIC TESTIMONY OF MR. RICHARD "BUMPPPO" BREMICKER**

12 Good evening. My name is Bumpo Bremicker,  
13 Richard -- usually known as Bumpo. I've been a resident of  
14 the Kachemak Bay area for 25 years. I'm a commercial fisherman  
15 and a charter boat captain. I've raised three children in this  
16 area, one who has also worked as a commercial fisherman and  
17 charter boat deckhand.

18 I and my family, as everyone in this area, is, to  
19 some degree, dependent on the fish and wildlife and scenic  
20 beauty we have all around us. I'd like to put up this marine  
21 chart showing some of the resources of lower Cook Inlet and  
22 areas of their abundance. So I have this chart here, and it  
23 covers most of the area of the lease sale, just south of Kalgin  
24 Island down here.

25 Thanks, Eddie. Here.

(Side comments)

Yeah, there we go. Okay. So I wanted to show you guys this chart. It -- like I say, it doesn't go quite as far down south -- past Cape Douglas as the lease area, but it covers most of it. These are some of the resources that I know about. I'm a commer- -- like I said, I'm a commercial fisherman, charter boat captain, so I've been all over this area. And other people, too, that I've talked to have helped add things on this.

And there's -- if you'll look at this, this is just a bare minimum of the things that are around. I mean, we could write a lot of these names all over this chart. There's herring fishing across Kamishak. There's herring in Chulitna Bay, herring up in Tuxedni Bay. All those spawn on the beaches, and, you know, oil would affect that big time, like it has in Prince William Sound.

Down the middle of the Inlet we have, of course, salmon fishing, the drift fleet. We have the halibut fishing, the charter boat halibut fishing. We -- all over the Inlet we have cod just about everywhere. There's otters, there's winter king fishing off the bluff. It just goes on and on. And there's clam beds all along this side of the Inlet, razor clam beds.

I haven't read the whole EIS, but from what I understand, there isn't any mention of razor clams in there. They

1 mention intertidal organisms and low-energy beaches or some-  
2 thing. Well, these are high-energy beaches. The razor clam  
3 beds are famous all over Alaska and probably the world, and  
4 those would be tremendously affected by any oil spills. And we  
5 have, you know, Kachemak Bay full of stuff -- king crab, tanner  
6 crab, otters, kelp beds, besides all the smaller organisms that  
7 feed everything.

8 I drew in one of the gyres, as been mentioned, the  
9 gyres that are so critical to this whole area. Here's one of  
10 them here. This one here. This is one; there's other ones  
11 over in Kamishak, too. These areas, this whole idea of the  
12 Inlet flushing out, you know, I've fished halibut for many,  
13 many years in the Inlet, and in the old days when we used to  
14 actually be able to sleep at night and fish halibut, when it  
15 got dark, we just turned the engine off and we'd just drift.  
16 And you'd drift up and down, and you'd end up, usually, in  
17 about the same place you started. You didn't get flushed out  
18 of Cook Inlet. You know, everything stays here. This is a  
19 myth that it flushes out.

20 And so all this stuff ends up here mixing up and  
21 fe- -- and getting into the whole ecosystem. So we got bears,  
22 of course, over here. There are brown bears over here in  
23 Kamishak, foxes. I think it goes on -- whales. People -- you  
24 know, there's whales all around the Inlet. See whales all the  
25 time, you go out there and charter fish. This is one of the

1 big things that people love to see, of course, is the whales --  
2 gray whales, fin whales, minke whales, orca whales, beluga  
3 whales. They're all over the place.

4 There's just -- you know. And this -- so I'm going  
5 to turn this in to you. And, of course, I've got the view  
6 marked here. The view is critical, too, of course, all over  
7 the place. So I'm going to give this chart to you, and maybe  
8 you can -- guys can take a good close look at it. And sometime  
9 today I'd love to take you out there and see it close-hand, if  
10 you haven't already.

11 (Applause)

12 MR. BROCK: Thank you. One moment.

13 MR. BREMICKER: Excuse me. Yeah.

14 MR. BOUDREAU: I neither caught your name because you  
15 spoke it too fast.....

16 MR. BREMICKER: Okay.

17 MR. BOUDREAU: .....or I don't know how to spell it.

18 MR. BREMICKER: Okay. Well, I'll tell you what.  
19 It's Bumpo, B-u-m-p-p-o, Bremicker, B-r-e-m-i-c-k-e-r. And  
20 I'm a resident of Fritz Creek. But I've got a few more things  
21 to say. I just wanted to show you -- give you this chart.

22 MR. BROCK: Thank you.

23 MR. BREMICKER: Thank you.

24 (Pause - Side comments)

25 BY MR. BREMICKER (Resuming):

1           And so like I say, I love this area. I fully intend  
2 to live here the rest of my life and will do whatever is in my  
3 power to protect the ecosystem that supports myself, my family,  
4 and my community. Oil and gas production poses too great a  
5 risk to this area. Our economy is based on the natural beauty  
6 of Cook Inlet and Kachemak Bay. Oil rigs, even if they were  
7 non-polluting, would interfere with that natural beauty.

8           I have seen and participated in the demise of many  
9 commercial fisheries in the past 25 years. King crab, tanner  
10 crab, dungeness crab, pink shrimp, pot shrimp, clams, and  
11 salmon. I'm sure that our greed as fishermen is partly respon-  
12 sible for this. But I also know that animals, such as barna-  
13 cles and sea urchins and sea anemones, are not as numerous in  
14 the tide pools my children grew up watching as they once were.  
15 I suspect chronic pollution from 25 years of oil drilling and  
16 dumping of drilling muds into Cook Inlet may be the cause.

17           And if the small creatures of the tide pools are  
18 being killed, so are the plankton forms of crab and shrimp that  
19 make up the great soup that is stirred by the tides of Cook  
20 Inlet. Contrary to the dreams of the oil companies that pollu-  
21 tion is okay in Cook Inlet because it is flushed out twice a  
22 day like a giant toilet, the chronic dumping of pollutants from  
23 drilling and boat discharges get trapped in the gyres that are  
24 critical to the sea life and our lives.

25           The EIS study that the government has obviously spent



1 such large amounts of money on is a good thing in itself. The  
2 more understanding of the ecology of Cook Inlet, the better.  
3 It's about time we make a continuing study of the effects the  
4 oil industry has had, and is having, on this area. But in  
5 spite of all the statistics and graphs and interesting informa-  
6 tion contained in the study, the real heart of the matter is  
7 missing. That is, Why risk something as productive and beauti-  
8 ful as Cook Inlet and the communities it supports to make a few  
9 outsiders rich and maybe pump a few more gallons of gas for our  
10 cars?

11 Yes, I drove here tonight, and probably some of my  
12 clothes are made from oil products. But that doesn't mean I  
13 don't wish for alternatives or that we have to ruin one of the  
14 entire world's natural treasures to get at a little more oil.  
15 The people here tonight are trying to tell you what I heard  
16 Secretary of Housing and Urban Development, Henry Cisneros, on  
17 the National Press Club say the other day on the radio, that  
18 the people who live in an area know what's best for them. What  
19 you see tonight is true democracy in action.

20 The oil company executives who want to drill in.....

21 (Off record)

22 (Tape Change - Tape No. 4 of 5)

23 (On record)

24 BY MR. BREMICKER (Continuing):

25 .....Louisiana, Texas, and upper Cook Inlet. We're not going

1 to let them do it here. Thank you.

2 MR. BROCK: Thank you.

3 (Applause)

4 MR. BROCK: Jennifer Edwards, followed by Allison  
5 Teague, I believe it is.

6 MS. TOBIESSEN: My name isn't Jennifer Edwards. She  
7 told me that she had to leave early and that she left you a  
8 letter, but if you don't mind, I'd like to speak instead of  
9 Jennifer.

10 MR. BROCK: Okay.

11 MS. TOBIESSEN: My name is Sonja Tobiessen.

12 MR. BROCK: Spell it.

13 MS. TOBIESSEN: S-o-n-j-a T-o-b-i-e-s-s-e-n.

14 **PUBLIC TESTIMONY OF MS. SONJA TOBIESSEN**

15 I live at the end of Fireweed Avenue and receive my  
16 mail at Box 3522 in Homer. And I am representing myself and  
17 future generations of Cook Inlet.

18 I appreciate the opportunity to speak to those of the  
19 MMS willing to listen regarding Federal Lease Sale 149, which I  
20 strongly oppose. I have lived here on Kachemak Bay for over 12  
21 years and have earned a living primarily on the water commer-  
22 cially fishing. Management of the fishing resources is far  
23 from a perfected science in this part of the world, but it will  
24 possibly become a moot point with little left to manage if oil  
25 and gas development be given the opportunity to expand even

1 further south in Cook Inlet.

2 With the thousands of documented discharge violations  
3 on record committed by the oil companies in Cook Inlet over the  
4 last eight years, it seems to me they have not earned the  
5 privilege to expand their domain and will not until they can  
6 prove to those of us who live here that they are responsible by  
7 practicing zero discharge.

8 It is an established fact that fossil fuels are a  
9 finite resource. I've heard oil officials' estimates that  
10 there are only a few months' worth of oil at the present domes-  
11 tic use level within these 2 million acres we're speaking of.  
12 It hardly seems worth the potential damage to the water of Cook  
13 Inlet and the life that depends on this water to drill here.  
14 I'd be interested to know how soon the MMS will respond to the  
15 need of this country to allow the use of petroleum to fade  
16 gracefully into history as an early and crude attempt to pro-  
17 vide energy for this planet.

18 Others tonight have pointed out the seismic instabil-  
19 ity of this area; the treacherous weather, currents, and ice of  
20 Cook Inlet; and the protected refuges and critical habitat  
21 areas bordering the proposed lease sale area. Those factors,  
22 not to mention the extent to which we depend on the Inlet for  
23 our livelihoods, seem reason enough to cancel Lease Sale 149.

24 I resent having to testify once again against yet  
25 another oil lease sale. The people of Bristol Bay have pre-

1       vented oil drilling in their bioregion. We have prevented oil  
2       drilling here in the past, and I hope to the Great Spirit that  
3       we do it again now and that you honor our request to release  
4       this lease sale. Thank you.

5               MR. BROCK: Thank you.

6                               (Applause)

7               MR. BROCK: Allison Teague, followed by Margi Bland-  
8       ing.

9               MS. TEAGUE: Hi. Allison Teague, P.O. Box 3912,  
10      Homer.

11              MR. BROCK: T-e-a-u-.....

12              MS. TEAGUE: T-e-a-g-u-e.

13              MR. BROCK: T-e-a-g-u-e.

14              MS. TEAGUE: Right.

15                           **PUBLIC TESTIMONY OF MS. ALLISON TEAGUE**

16              I'm here representing myself and my friends and their  
17      children and my six nieces and nephews who have never been to  
18      Alaska, and I hope that they will.

19              My home is on the bluff overlooking Cook Inlet. And  
20      since I found out about Oil Lease Sale 149, I've had trouble  
21      sleeping at night for fear that when I wake up in the morning,  
22      even the tankers that go by will somehow have caused a spill.  
23      And the thought of having rigs out there is a nightmare, liter-  
24      ally. I came here because of the aesthetic quality of the  
25      environment. I'm an artist, and I appreciate that more than

1 anything else. I've traveled around the world, and I know that  
2 this is one of the most beautiful spots and worth every effort  
3 to preserve it.

4 I personally believe that everything on this planet  
5 and in the universe is connected and that what we do here  
6 affects every other person, thing, atom, wave throughout this  
7 planet and the universe. I feel very strongly, from a philo-  
8 sophical point of view and from a spiritual point of view, that  
9 oil is the detritus of the plant. It is the feces of the  
10 planet. We should have left it alone. We should have let it  
11 stay where it was.

12 This can be the beginning. This can be the start of  
13 the change of showing that we can truly evolve to greater  
14 beings than we've shown so far on this planet. We have a grave  
15 responsibility to the future generations of any human being on  
16 this planet. Environmental sciences dealing with geology say  
17 that this planet is an endangered planet. That makes us an  
18 endangered species. How can we allow something like Oil Lease  
19 Sale 149 to go ahead?

20 This is a new era. It's time to change. There are  
21 alternative energies out there and designs in places that we  
22 have only to take advantage of that will provide the same  
23 economic benefits to people. It will give people jobs, et  
24 cetera, et cetera. There are other things. We don't need to  
25 pursue this any longer.

1           This is the end of the road, and I say it's the end  
2 of the line for oil. No on Oil Lease Sale 149.

3                           (Applause)

4           MR. BROCK: Margi Blanding, followed by Michael  
5 Scott.

6                           **PUBLIC TESTIMONY OF MS. MARGI BLANDING**

7           Hi. My name is Margi Blanding, M-a-r-g-i, B as in  
8 Boy, -l-a-n-d-i-n-g. I also live in Homer, P.O. Box 3355.

9           Most of what I, too, was going to say tonight is --  
10 has been said. I, too, am a supporter of Alternative 2. I  
11 would not like to see oil happening in lower Cook Inlet.

12           It may be somewhat easy for you here to leave tonight  
13 and say, 'Well, that's Homer, and Homer's known as a bit of a  
14 radical town, an environmentalist town,' but I, too, had that  
15 problem. Is it just me? Do I just want to protect my back  
16 yard? Is it just that I don't want to look at the oil rigs?  
17 And I wasn't happy with that because I want to share the  
18 responsibility with the rest of the world.

19           But I took a look around, and I looked through  
20 your -- through the Environmental Impact Statement, and I  
21 wanted to find some support for how I feel, and I did. It was  
22 right there. And I blew it up on the wall, and it's your  
23 map -- and I don't know which page it is. I can't find it.  
24 But that was the evidence that I needed, that and there's a  
25 couple of statements in your Environmental Impact Statement.

1 Quote:

2 "The coast in the proposed Sale 149 area and the  
3 marine environment offshore contain some of the  
4 most beautiful shore and ocean features in the  
5 world."

6 Across from that quote is this map right over there.

7 I've colored it in; I've enhanced it a little bit.  
8 And you guys probably know this map real well. We all know  
9 this map real well. All those colored-in areas are the  
10 national parks and preserves and the state parks around. The  
11 critical areas are not colored in there because I don't know  
12 where they all are; there's a lot of them. But what I noticed  
13 when I looked at that map is that that's a lot of area. And  
14 that Oil Lease Sale Area 149 is smack dab in the middle of  
15 them. For me, what those lands mean is that this area is  
16 important. It's not just me that thinks so.

17 Surrounding Oil Lease Sale Area 149 is Katmai  
18 National Park, Lake Clark National Park, Kenai Fjords, Kodiak  
19 National Wildlife Refuge, Kenai National Wildlife Refuge,  
20 Alaska Maritime National Wildlife Refuge -- you know them all.  
21 I'm not going to go through them all. McNeil River State Game  
22 Park and lots of important areas, important areas from the  
23 national standpoint, important areas from the state standpoint,  
24 and important areas from the local standpoint.

25 So it's not just Homerites that are saying, 'We don't

1 want it here.' It's not just Homerites that are saying lower  
2 Cook Inlet is an important area. It's the nation, and that's a  
3 national treasure right there. People have fought to have that  
4 preserved, and we have no right in threatening it. The whole  
5 nation needs to know that national parks may well be in danger.

6 The Environmental Impact Statement says -- itself  
7 says that there is indeed going to be pollution if there is oil  
8 development, and there is going to be spills if there is oil  
9 development. That's not a question. The question is, Is it  
10 worth it?

11 There's a second thing for me that is real important  
12 as far as the oil and gas lease sale goes, and you've seen that  
13 here tonight, how strong the community is. The community of  
14 Homer is real strong, and it's nice to see people come out like  
15 this. In the last four days some of us were concerned that  
16 maybe Homer didn't know about this meeting, and so we were kind  
17 of silly about that. But -- 'cause everyone seemed to know.  
18 So a petition started going around, and in four days, this  
19 petition gained, it looks like about 500 signatures. And I  
20 will pass this along to Director Gottlieb and with a count of  
21 how many.

22 And all these people are opposed to Oil Lease Sale  
23 149, not just, well, partially opposed, or we'd like to see it  
24 only in this area or that area. These people are opposed to  
25 any oil drilling happening in lower Cook Inlet. They're sup-



1 portive of Alternative 2.

2 I also think that Alternative 2 would be the only  
3 sound environmental choice, and I know that's what your job is,  
4 so I hope you pass that word along to those who need to hear  
5 it. Thank you very much.

6 MR. BROCK: Thank you.

7 (Applause)

8 MR. BROCK: Michael Scott, followed by Megan Corazza.

9 **PUBLIC TESTIMONY OF MR. MICHAEL SCOTT**

10 Hello. My name's Michael Scott, and I live at 667  
11 West Fairview, Apartment C, Homer, Alaska. I haven't lived  
12 there very long; I'm a newcomer to Alaska. And I suppose that  
13 leaves my opinion, you know, somewhat in question of credi-  
14 bility. I don't know how it is to live in Alaska or where  
15 Alaska wants to go with its development, but I just came here  
16 because I'm a United States citizen and I'd like to put some  
17 input into what I perceive as a big mistake.

18 Homer is a -- I enjoy living in Homer. It's a place  
19 of incomparable and stunning beauty. I enjoy just driving to  
20 work every morning. I'm stunned daily by the incredible beauty  
21 of this place. On a one-hour lunch break I can go take my  
22 brown bag lunch five miles from where I work and eat lunch with  
23 a hundred bald eagles. There's not very many people in the  
24 United States that can say that.

25 I've been driving around Homer looking for some real

1 estate 'cause I'd like to buy some real estate and build a home  
2 here and live here for the rest of my life. I've found that  
3 the place I'd like to live is a place that has the nicest view,  
4 and that's Diamond Ridge Drive or Skyline. Up on Skyline  
5 Drive, lots cost around thirty, thirty-five, forty thousand  
6 dollars. That's a lot. I own property in New Mexico and  
7 Washington. I've never paid that much money for a lot.  
8 Because what these people are selling is not land; they're  
9 selling a view, a stunning view of pristine wilderness.

10 Well, if Lease Sale 149 goes through, me, as a buyer,  
11 when I go to hack out the negotiation to buy this property, I'm  
12 going to remind this seller that since Lease Sale 149 has gone  
13 through, that an oil spill in Homer is imminent, and that the  
14 oil companies are coming here. And therefore, I'm not going to  
15 pay him top dollar for his real estate because when the oil  
16 companies come here, they're going to bring storage tanks,  
17 storage sheds, increased truck traffic, pipes, and a large  
18 population of transient high-paid oil field workers that are  
19 going to come in here during the boom, whoop it up, make a lot  
20 of money, have a great time sport fishing, and you can be sure  
21 that they're not going to give a damn about the steelhead runs  
22 in the Anchor River 20 years from now. And when they leave,  
23 they're going to leave and leave Homer in a worse shape than  
24 when they found it.

25 Well, what I would say to the seller of this property

1 is that's -- I'm not going to pay top dollar for your land  
2 because of the negative impact of what's impending here, and  
3 that's a big oil spill and a lot of dead animals. Well, you  
4 might conceivably argue that oil development in a small town is  
5 good for the real estate market, like, for example, Warm Sutter  
6 (ph) at Wyoming. When the oil boom came there, yeah, it was  
7 good for the real estate market for a while. Rents went  
8 through the roof; prices of houses went through the roof. Land  
9 tripled in value.

10 The point here, though, is that Warm Sutter (ph),  
11 Wyoming, and no other small town in the United States is compa-  
12 rable to Homer. Homer is the incomparable. They don't have  
13 view property there, or any place else, like they have it here.

14 So I think that the development of oil in the south-  
15 ern part of the Cook Inlet would be a real detriment to the  
16 people of Homer. My point being that I would much rather see  
17 the defeat of this lease sale than to see it go through. I  
18 would rather pay two dollars more a gallon for gas, and sell my  
19 eight-cylinder truck and drive a four-cylinder truck, and pay  
20 top dollar for any real estate I buy around here if I could be  
21 assured that when I watch the sun set, it sets on the pristine  
22 wilderness with clean water, and not through the silhouette of  
23 some ugly, disgusting manmade offshore oil platform. Thanks.

24 MR. BROCK: Thank you.

25 (Applause)

1 MR. BROCK: Megan Corazza, followed by Lawrence  
2 Carlton.

3 **PUBLIC TESTIMONY OF MS. MEGAN CORAZZA**

4 My name is Megan Corazza; that's C-o-r-a-z-z-a. My  
5 address is Box 1320, and I'm representing myself.

6 I'm a sophomore at Homer High, and when I was told  
7 about Lease Sale 149, I was furious. The oil companies in the  
8 upper Inlet have treated the area and its residents with little  
9 respect. Their repeated violations of the federal Clean Water  
10 Act demonstrate blatant disregard for the well-being of the  
11 environment and the animal life. Not only have their illegal  
12 actions endangered the environment but also local residents.

13 In the Poppy Lane case, an oil company in the upper  
14 Inlet dumped polluted waste into a gravel pit without having a  
15 permit to do so, and the waste leached into the ground, pollut-  
16 ing the water of one family's home. And the occupants of that  
17 home have developed serious irreversible health problems  
18 directly from the toxic compounds.

19 If the oil companies act so irresponsibly with the  
20 area that they already occupy, why should they be allowed to  
21 spread destruction further down the Peninsula? They have not  
22 showed themselves worthy of being entrusted with developing  
23 lower Cook Inlet safely and wisely.

24 I was directly involved with the cleanup of the Exxon  
25 Valdez spill, and I work on a commercial fishing boat in Prince

1 William Sound. So I have had first-hand experiences with the  
2 destruction caused by oil spills. I do recognize the economic  
3 benefits and everyday applications of oil for Alaskans, but I  
4 do not believe that the amount of oil that could be found in  
5 lower Cook Inlet would significantly increase the total amount  
6 of oil being drilled in Alaska enough to justify endangering  
7 yet another 2 million acres of Alaskan wilderness.

8 MR. BROCK: Thank you.

9 (Applause)

10 MR. BROCK: Lauren Carlton, followed by Glen  
11 Caldwell.

12 **PUBLIC TESTIMONY OF MS. LAUREN CARLTON**

13 That's L-a-u-r-e-n Carlton. I live at -- my mailing  
14 address is P.O. Box 198, Homer, Alaska.

15 I've come up here because this is important to me,  
16 like it is everybody else here, and I appreciate you coming  
17 down here to hear us out again and to hear what, really, this  
18 place means to us and how important it is to preserve it the  
19 way it is and to preserve it for our future generations to  
20 come.

21 I come here also as someone who lived on Kalgin  
22 Island, on the north end, last summer, setnet fishing, and I'll  
23 be there again this summer. And I got to tell you, I do not  
24 like the oil rigs in northern Cook Inlet. They're loud; their  
25 crap from their oil rigs comes on my beach, in my nets. I also

1 fish over on the west side between Big River and Drift River,  
2 and we used to have walruses come all the way up here to Kalgin  
3 Island, 7 to 10 of them. This year we saw one.

4 I don't want to necessarily blame it on the oil rigs,  
5 but, to me, there might be a correlation. To me, there's a  
6 correlation from the pollution coming off the oil rigs and the  
7 decline of our resources on Kalgin Island. We can't even clam  
8 dig any more on the Island. They're just not there. And I  
9 fish with neighbors who have been there 25, 30 years, and  
10 they'll tell you sadly how things have declined. And they  
11 believe in their hearts that these oil rigs in the upper Cook  
12 Inlet have something to do with it because the oil rigs, there  
13 weren't near the problems in the environment and the ecosystem  
14 and the marine life surrounding upper Cook Inlet that there are  
15 now.

16 Also, I want to say we should look at this from the  
17 way Native -- my Native American ancestors look at the land.  
18 It is sacred. Why can't we learn from them? Why can't we  
19 learn that if we're willing to preserve a church and let it sit  
20 for 200, 300 years, why can't we let a wilderness stay there,  
21 pristine as it's always been? Why can't we leave it for the  
22 generations to come, to appreciate it for the way it is,  
23 untouched by development, untouched by pollution? Let's leave  
24 it so that our children and future generations can have some-  
25 thing that is sacred and gives them something back in peace of

1 mind and teaches them to love the land and to respect it.  
2 We've got to think about that.

3 There are several Native villages that would be  
4 affected by these oil rigs coming into lower Cook Inlet. I  
5 don't think they would appreciate it. I can tell you one  
6 thing: They were greatly affected by the oil spill of the  
7 Glacier Bay in 1987. They were greatly affected by the oil  
8 spill of 1989. When are we going to learn that it affects us,  
9 not only physically but mentally, socially, spiritually.

10 I directly worked on the oil spill from day ten on.  
11 I have worked also on tug boats as a U.S. merchant marine able-  
12 bodied seaman in Prince William Sound escorting the tankers. I  
13 have worked on the spill response drills, and what -- and I  
14 have also worked on the Valdez Star, which is the only spill  
15 response vessel in Alaska that can handle any oil spills that  
16 would be over 5,000 gallons. And to tell you the truth, it's  
17 not a perfected science at all -- it's scooping up oil.

18 We practice on the Valdez Star with oranges, with  
19 styrofoam, and one time, they did practice with real that they  
20 found floating around. And they weren't able to get it all  
21 because the seas were four feet high. That's nothing compared  
22 to what we get out here. In the Shelikof, in lower Cook Inlet,  
23 upper Cook Inlet, let me tell you, the currents that run  
24 through here are hell. They are something. When you're out  
25 there in a little skiff with your setnet, and you're trying to

1 pick it up against a current that's going about 10 knots, can  
2 you imagine trying to wrangle in an oil spill from a rig? I  
3 can't. I just can't see us being able to do it technologi-  
4 cally.

5 So I don't feel it's worth trying to even fool our-  
6 selves that we can wrestle in an oil spill. I do not think  
7 that we want to be that experiment, or we want to be when  
8 everything is on paper (sic). But when it comes to the  
9 reality, we really can't handle our oil spills. I know first-  
10 hand, in Prince William Sound, in our drills.

11 We got people from Louisiana and Texas being employed  
12 by the spill emergency response companies that get the con-  
13 tracts from Alyeska to be prepared for an oil spill. And those  
14 guys, when they first came up, they could not find their way  
15 from Hinchinbrook Entrance back to Valdez Narrows without their  
16 Lorans. I mean, they just didn't know their way around. They  
17 sustained \$50,000 damage to one of their 110-foot vessels in a  
18 storm because they didn't know how to lash down their equipment  
19 properly.

20 So I don't want to trust the possibility of us having  
21 an oil spill from these oil rigs in the hands of these people  
22 that supposedly are ready to take care of our seas in the event  
23 of an oil spill. And also, one thing I might add, you know,  
24 throw away oil spills, throw away the scientific data. It's  
25 just common sense that what we have out here is pretty darned



1 nice. And when we had an oil rig from Singapore waiting to get  
2 their permits to go up the upper Inlet last year, last spring,  
3 I saw that oil rig in our beautiful bay, and I thought, 'Hell,  
4 no. I don't want to see another -- I do not want to see a rig  
5 out here, ever.'

6 And I think common sense tells us that what we have  
7 is so wonderful, so beautiful, and it supports so many things,  
8 so many different livelihoods exist in this beautiful bay and  
9 beautiful Inlet, let's not compromise it. Let's hold the  
10 sacredness to our hearts, and let's leave it alone. Thank you.

11 MR. BROCK: Thank you.

12 (Applause)

13 MR. BROCK: Glen Campbell?

14 (No audible response)

15 MR. BROCK: Caldwell. I'm sorry. Glen Caldwell.

16 (No audible response)

17 MR. BROCK: Okay. Let's take a quick 10-minute  
18 break, and we got 15 more to go, and we'll finish those, and  
19 then whoever else that did not sign up. So 10 minutes.

20 (Off record)

21 (On record)

22 MR. BROCK: We're back on the record. The first one  
23 on this page is Linda Bedman (sic), followed by Mike O'Meara.  
24 And we're having a little problem getting the spelling on  
25 everybody's names, so I would ask you to spell your name, and a

1 little slower than we have been. We're getting a little prob-  
2 lem there in making sure we have the correct name.

3 **PUBLIC TESTIMONY OF MS. LINDA REDMAN**

4 So it's Linda Redman, R-e-d-m-a-n. And I -- my post  
5 office box is 2731 here in Homer.

6 I am also opposed to the Oil Lease Sale 149. The Oil  
7 Lease Sale 149 Environmental Impact Statement admits that lower  
8 Cook Inlet is, quote, "one of the most active volcanic regions  
9 in the world," unquote.

10 Last month in Homer, there were several strong  
11 tremors. To place it here, for this reason, is an unacceptable  
12 risk. As long as this is a draft document, I would urge you to  
13 help us with research as far as the environmental situation in  
14 this area so that we have clear and details regarding actual  
15 seismic activity, in the past and projected details for the  
16 future, or projected seismic details.

17 I would like to see the Environmental Impact State-  
18 ment reflect the level -- I would like to see it reflect that  
19 the level of risk to the vast majority of Homer residents is  
20 unacceptable, that the vast majority of people here will not  
21 tolerate toxins and drilling rigs in the lower Cook Inlet. We  
22 want to clean up our sea, and that means zero tolerance for  
23 things that would hurt it.

24 I would like to see the Statement recorded -- I would  
25 like to see recorded in this document an accurate indication of

1 the overall environmental impact that has already occurred in  
2 the lower Cook Inlet region over the past 30 years. It is  
3 important to know this because I think it would show how  
4 fragile the water here is. The Environmental Impact Statement  
5 needs to reflect the overall impact of pollution as well as the  
6 actual situation of all the sea life and coastal wildlife.

7 Many members of our community depend on a subsistence  
8 lifestyle. This includes several Russian communities as well  
9 as the Native villages in the surrounding -- surrounding the  
10 area. These areas -- these cultures depend on a subsistence  
11 way of life. This oil lease sale is unacceptable for the needs  
12 of the people of the Kachemak Bay region. It is also a threat  
13 to the fish and the wilderness that hundreds of thousands of  
14 people around the world depend on seeing as a continuous  
15 resource.

16 What are we really talking about here? Our health?  
17 The sea's health? Or are we talking about a culture with an  
18 addiction to a destructive form of energy to fuel its civiliza-  
19 tion? After looking at the Minerals Management document, I am  
20 not convinced this oil lease sale will add to the health of  
21 ourselves, our bay, our fish, our tourist industry, our addic-  
22 tion to destructive energy.

23 I understand that the MMS has a mission to locate  
24 domestic sources of energy for our nation. I urge you to look  
25 at what we are wasting and help work on the preservation and

1 efficiency of the resources that we already have available. Up  
2 at Prudhoe Bay, there's been continuous flares flaring natural  
3 gas for 20 years. And I've been told, like the amount that  
4 they burn on a daily basis would like heat Alaska, heat all the  
5 homes in Alaska. Things like that are not acceptable, espe-  
6 cially if we are concerned about energy in this country.

7 I would like to see automobiles that burn -- you  
8 know, that are very efficient, and we have that capability.  
9 And I would like to see the Minerals Service look into that and  
10 see documents that, even in this particular document, show what  
11 potential there is for energy efficiency and what reserves we  
12 have there in this country.

13 I would like to see alternative energy development  
14 options, and this presented in a realistic way, realistic  
15 format in the document. That's -- I'd like to see especially  
16 detailed information on specific alternatives regarding tidal  
17 energy and wind. I would like to see fair comparisons of costs  
18 regarding benefits and risks. I think it is possible to also  
19 make this document really concise with very good information in  
20 it that could be footnoted.

21 I want my community and our country to make it easy  
22 and cheap to use energy that does not harm our air and water.  
23 Development of clean, healthy energy would ensure our national  
24 security. Thanks.

25 MR. BROCK: Thank you.

(Applause)

MR. BROCK: Mike O'Meara, followed by Linda Feiler.

**PUBLIC TESTIMONY OF MR. MIKE O'MEARA**

Gosh, you got all this junk up here. I don't have room for mine. More memorabilia for you. This was gathered on the spot out on the road the other day when some people got together for a little impromptu, I guess, demonstration is what you call it. Anyway, those people who passed by or sat in signed this thing, and I guess I'll send it back with you along with your other toys and things.

MR. BROCK: Okay.

(Applause)

MR. BROCK: Can I fold it?

MR. O'MEARA: Oh, I'll leave that up to you guys.

MR. BROCK: Thank you.

BY MR. O'MEARA (Resuming):

My name's Mike O'Meara. That's O'-M-e-a-r-a. My mailing address is Box 1125, Homer, Alaska.

I left L.A. about 27 years ago, and first time I went around Baycrest Hill, like so many other people that have talked to you tonight, I knew I was home. Had to go back for a year, but I made a beeline back to Alaska, and as soon as I could find a place to live down here, I moved down here, too. Took eight years though, eight years in Anchorage.

I guess you know my position 'cause you know me. I

1 don't think that this lease sale is a good idea, and I don't  
2 think it's in the best interests of the state or the nation. I  
3 support Alternative 2, and I'd like to suggest that you guys  
4 take a real good hard look at this document you've produced and  
5 think about what you wrote in there because I think just read-  
6 ing what you wrote tells us that it's impossible to develop  
7 this area in an environmentally responsible manner, which means  
8 you ought to change the suggested alternative. You guys ought  
9 to be suggesting Alternative 2 to Bruce Babbitt.

10 What'd you think of our turnout tonight?

11 MR. BROCK: Good.

12 (Applause)

13 BY MR. O'MEARA (Resuming):

14 You know, this is a little different place than  
15 Anchorage or Valdez or Kenai. And I think the difference is,  
16 this is a community. And I don't know if that really means  
17 anything to you guys; I hope it does. You all seem like nice  
18 fellows. I've seen Ray before. I've seen Bob a lot of times  
19 and talked to him. I don't know you, Barry, but I think you're  
20 like the rest of us. You know, you have lives that you lead  
21 and things that you value and love. And I'd just like you to,  
22 for a minute as you sit here, put yourselves in our place.

23 A lot of us have talked about the experience of the  
24 Exxon Valdez. That's because none of us are ever, ever, as  
25 long as we live, going to forget it. We can't. None of us

1 ever want to see it again.

2 This document says that if you hold this lease sale,  
3 we're going to have other oil spills here. Maybe they'll be a  
4 lot smaller, but maybe they won't. As people have said over  
5 and over again tonight, the cost is too high, the risk is too  
6 great, the loss is unimaginable.

7 I'm not going to go into great detail tonight.  
8 Everybody's tired, and that's more appropriate for written  
9 comments, and I'll give those to you before the deadline. I've  
10 spent a lot of time with the document already; I'm going to  
11 have to spend a lot more.

12 I would say this, though: Keep in mind that if you  
13 sell this lease sale and there's an oil spill in Cook Inlet of  
14 any substantial size, if you think this turnout tonight was  
15 impressive, wait and see what happens then.

16 So what's the issue here? I guess basically it's  
17 been said a lot, but I'll say it again: Are we willing to  
18 displace the existing values of this area, the environmental  
19 quality, the unique beauty, community, all of the things that  
20 that entails, in order for profits for multi-national corpora-  
21 tions and a little bit of revenue for the federal government?  
22 That's really what we're talking about here.

23 And it's a real issue; I realize that because the OCS  
24 Program, as I understand it, has been the second largest gener-  
25 ator of revenue for this country right under the IRS. So I

1 know you're under pressure to sell leases. But it doesn't have  
2 a damned thing to do with energy independence, as people have  
3 mentioned tonight, because, first of all, at the max, going by  
4 your figures anyway, there's two months' supply of oil in there  
5 in terms of the amount of consumption that this country goes  
6 through everyday. Two months. Is it worth two months to run  
7 the doomsday machine out there, like L.A., and destroy what  
8 we've got here out in the Inlet? I don't think so.

9 Another factor was mentioned tonight, too. A good  
10 part of that oil will probably be exported. So I think there's  
11 a good deal of hypocrisy at work, not with you, fellows, but  
12 with the policy-makers.

13 I won't go into a lot of detail here about what's at  
14 stake. People have mentioned the view. If you're not inter-  
15 ested in the aesthetics, think of it this way: To us, the view  
16 is dollars and jobs. There's the fishery, 6,672 seasonal jobs,  
17 at last count. It's hard to sell fish if your customers out-  
18 side think of the place as being a place of tainted waters.  
19 That's an impact that I don't think was even addressed in here,  
20 the perceptions of the people outside with regard to the  
21 product.

22 People have mentioned, again, the 13 parks, refuges,  
23 sanctuaries, and other special public lands that have been set  
24 aside around here. People come from all over the world to see  
25 those. Again, that translates into jobs for us. And as a



1 reminder, tourism is the fastest growing segment of the Alaska  
2 economy. It's certainly very important here. And all the  
3 wildlife.

4 What the Draft Environmental Impact Statement tells  
5 us is that if development occurs, there's going to be chronic  
6 pollution, and there are going to be accidental spills. It  
7 tells us there's going to be local disruption of the economy  
8 from time to time. It tells us that visual qualities in these  
9 federal lands are going to be disrupted. It tells us that  
10 subsistence harvests are going to take a real hard hit from  
11 time to time. And with subsistence harvests, as you point out  
12 in the document, you're talking also about the culture of the  
13 people who practice that subsistence way of life.

14 Expenses, property taxes are going to go up if  
15 there's development. I can talk to that from experience. When  
16 I first bought my property here, the great pipeline boom was  
17 just getting under way. Within a period of seven years, my  
18 taxes went up 740 percent. And there wasn't any oil around  
19 here; it was indirect. It was all the speculation and the land  
20 trading, all that loose money floating around. But I wasn't  
21 making any of it. I still had to pay the taxes; I still have  
22 to pay them today. So it didn't help me very much, and it  
23 won't help me if you do it to me again.

24 So what's wrong with the Statement? As I said, I'm  
25 not going to go into great detail, but I'll mention a few

1 things that occurred to me, and other people mentioned it, too.

2 When you look at the document, even though you've  
3 done a much better job this time than you did the last time in  
4 terms of at least mentioning the differences between upper and  
5 lower Cook Inlet, especially in terms of the social structure  
6 and the economy, you still haven't got it right. And it's  
7 still easy to see that this document is actually based on  
8 science with an agenda. And, gentlemen, one of the things that  
9 was wrong with the science that was done after the Exxon Valdez  
10 oil spill was it was science with an agenda, too, on both  
11 sides.

12 The oil companies wanted to prove that it wasn't such  
13 a big deal. The federal and state governments wanted to show  
14 as much damage as they could. As a result, what we have now  
15 are a lot of damned inconclusive studies that don't help us a  
16 whole lot. Science with an agenda is useless.

17 The National Research Council conducted a formal  
18 review of MMS in its ESP Program and found it wanting in 1989,  
19 1992, and 1993. I think you guys are trying to overcome that;  
20 I think you're working on that here. But you haven't done it.  
21 It was mentioned tonight that there are an awful lot of in-  
22 house studies here that are quoted, and I doubt seriously that  
23 many of those at least have had peer review, or at least proper  
24 peer review.

25 In reading over the document, I see in there what

1 appear to me assumptions that are very speculative in many  
2 cases. This is especially too -- especially true with rela-  
3 tionship to risk projections. I see conclusions that often  
4 fail to reflect the data, at least the data that's presented.  
5 I see assessment of significance of impacts that appears to be  
6 biased and judgmental.

7 For example, I'll quote one thing in there that  
8 struck me in particular. And that had to do with the effect on  
9 some of those public lands, those parks and refuges and other  
10 types of special areas in the event that oil was spilled on  
11 them. And the description was that there'd be a very slightly  
12 reduced visual quality following such a spill. And it reminded  
13 me of all those photos of what happened after the Exxon Valdez  
14 spill. And it reminded me of some of the shorelines I visited  
15 after that. I wouldn't call that "slight."

16 MR. BROCK: Mike, can you summarize?

17 MR. O'MEARA: Yeah, I will.

18 BY MR. O'MEARA (Resuming):

19 And there are important impacts omitted, too. For  
20 example, in discussing that issue, nowhere in there did I find  
21 reference to what the visual impacts of the rigs would be. And  
22 people have mentioned that several times tonight. Nor did I  
23 find any indication of what those rigs working out there and  
24 discharging produced waters, cuttings, and what have you, what  
25 that -- what influence that would have on those people in the

1 villages who were involved in subsistence, aside from a spill.  
2 A spill isn't the only thing that will have impacts.

3 And I'm going to really wrap it up now, but  
4 there's -- the one glaring omission that I'd like to mention  
5 tonight is nowhere in this document is there any mention of the  
6 planning phase impacts. This lease sale has already had  
7 impacts here. The fact that I have had to spend the last two  
8 weeks trying to deal with this issue, and will spend much more  
9 time, is one of those impacts. I could have been working; I  
10 could have been visiting my mother in Los Angeles; I could have  
11 been on vacation. That's an impact.

12 I'm very judicious in my use of an automobile. I try  
13 to restrict my trips to town and conduct all of my business  
14 when I'm here so I don't have to keep driving around and burn-  
15 ing more fuel. I've burned a lot of fuel because of this oil  
16 and gas lease sale, coming and going, connecting with people,  
17 trying to make sure that everybody knows what's going on and  
18 that we have something to say.

19 (Applause)

20 I'm going to recommend you guys all read a book here  
21 because it deals with that issue and a lot of others. You may  
22 be familiar with it already. It's called Oil in Troubled  
23 Waters by William R. Frutenberg (ph) and Robert Gamling (ph).  
24 And it's published in '94, State University of New York Press.  
25 And it deals with this thing that's going on here tonight, with

1 why the OCS Program has been rejected everywhere in the United  
2 States except off the coast of Louisiana and Texas. And it  
3 talks about how maybe the Minerals Management Service can do a  
4 little bit better job of dealing with people's concerns. And  
5 it isn't a condemnation of you guys either. I mean, it's a  
6 look at the issue, and it tries to be constructive.

7 So there's a lot of other stuff to talk about, but  
8 I'm going to lay the paper on you later.

9 MR. BROCK: Thank you for your comments.

10 (Applause)

11 MR. BROCK: Linda, followed by Josh Brooks.

12 **PUBLIC TESTIMONY OF MS. LINDA FEILER**

13 My name is Linda Feiler, F-e-i-l-e-r, and I'm at Box  
14 148, Anchor Point, Alaska 99556.

15 It's always hard to follow Mike O'Meara and everybody  
16 else who spoke so eloquently, so I'm not going to repeat every  
17 single detail that we hope we've drilled you with.

18 But I'm here representing my family that came up to  
19 visit and fell in love with the area and every tourist that  
20 came to my gift shop over the past 18 years, with pens raised,  
21 ready to sign whatever petition I had out trying to protect the  
22 water, the wolves, the river, or whatever else was being pol-  
23 luted or destroyed. I'm sure if I contacted all of them, they  
24 would all write you the same letter, asking you to omit this  
25 sale so that they can come back up.

1           In the 18 years I've been here, we've had horrible  
2 problems with oil. We drank oil in Anchor Point; we had ben-  
3 zene in our water at 200 parts per million. And until we  
4 caused a royal stink, we didn't get it omitted. We still have  
5 problems in Anchor Point. There are about 1,400 toxic dump  
6 sites on the Kenai Peninsula.

7           Besides the fact that deforestation is going on  
8 everywhere, none of us want to see our lands destroyed by -- I  
9 mean, our homes destroyed on the water side. We face Cook  
10 Inlet up in Anchor Point, and a lot of us fish there, and a lot  
11 of us eat off the coast.

12           In your document, you refer to a pipeline that's  
13 going to be three miles outside the coast of Anchor Point. I  
14 don't think anybody in Anchor Point is going to be able to  
15 handle more benzene. I personally would have liked to have  
16 seen some document that shows how many deaths there's been in  
17 the area and whether any of the deaths were related to consump-  
18 tion of benzene. Maybe benzene was only a partial reason why  
19 these people died, but a lot of my friends have died of cancer  
20 in Anchor Point. And a lot of people in Homer are dead, and  
21 there are a lot of birth defects that go on. And they're not  
22 publicized 'cause they're very touchy, touchy situations, and  
23 no one wants their names and their babies taken photographs of.

24           You said that you would send me a document showing us  
25 the environmental impact on humans. There was some other piece

1 of information that you were going to have that was going to  
2 talk about the effects of this new oil discovery on humans.  
3 And I asked you whether it was how much money we were going to  
4 make or how many of us were going to be revisiting the Homer  
5 Mental Health Clinic. You don't know the document you referred  
6 to?

7 MR. BROCK: I'm not familiar with any document like  
8 that, but I.....

9 MS. FEILER: There was another man with you, and he  
10 said they were doing research on it. And it was socioeconomic,  
11 supposedly, and it had nothing to do with our health.

12 BY MS. FEILER (Resuming):

13 There was another document also that was -- the  
14 federal government was supposed to come down with more maps  
15 because you hadn't finished doing the research that you needed.  
16 One was supposed to show the toxic hot spots in Kachemak Bay,  
17 where the water circulates, comes back, and hangs out in one  
18 particular area. And there were two hot spots, but supposedly,  
19 the federal government hadn't gotten all their work finished  
20 and didn't have the documents to give us at that time. I'd  
21 like to see those documents.

22 Well, I'll close here. I just wish there was some  
23 statement that I could make that would finally hit home and  
24 cause you to go back and tell your representative that we don't  
25 want it. These people agree with me; they're all individual

1 letters written to Secretary of the Interior Bruce Babbitt. I  
2 mailed those; I made copies of each letter to give to Judith  
3 Gottlieb, and I hope you'll deliver them with my sentiments to  
4 please not allow any more leasing in this area.

5 MR. BROCK: Thank you.

6 (Applause)

7 (Pause - Whispered consultation)

8 MR. BROCK: Josh Brooks, followed by Dean Sundmark.

9 **PUBLIC TESTIMONY OF MR. JOSH BROOKS**

10 Not too many people on your side tonight. I'm not  
11 either. So hello, my name is Josh Brooks, 3592, Homer, Alaska.

12 I'm a 19-year-old registered voter and taxpayer of  
13 Homer. I have been a resident of Homer for the past 12 years.  
14 Tonight I speak for my generation of sport and commercial  
15 fishermen. I plan to live and work here for the rest of my  
16 life. Those of you who are my parents' age have already had a  
17 good life here. However, if you allow oil rigs in Cook Inlet,  
18 then you are possibly denying me and others of my generation  
19 the same opportunity to have a good life here.

20 I was 14 years old when the oil spill happened, and I  
21 remember how upset my parents were. My dad helped build a log  
22 boom -- the log booms to try to contain the oil. I was in  
23 junior high school at the time and helped with the otters they  
24 were cleaning there. I was so sad and disgusted by what I saw,  
25 I never want to see anything like this again.



1           Those of you who are promoting the oil rigs can't  
2     guarantee me that there will not be another accident or that  
3     the noise from the rigs won't affect the returns of Kachemak  
4     Bay and Cook Inlet fish. I don't understand why you would  
5     gamble with my opportunity to make a living here and raise my  
6     family here.

7           If fishing is hurt by oil rigs, then I will have to  
8     move somewhere else. As a member of the next generation of  
9     Homer citizens, I ask you to reconsider your requests. Thank  
10    you.

11           MR. BROCK: Thank you.

12                                 (Applause)

13           MR. BROCK: Dean Sundmark, followed by Scott  
14     Cunningham.

15                                 **PUBLIC TESTIMONY OF MR. DEAN SUNDMARK**

16           My name is Dean Sundmark. I live up on.....

17           MR. BROCK: Would you spell that?

18           MR. SUNDMARK: S-u-n-d-m-a-r-k.

19     BY MR. SUNDMARK (Resuming):

20           I live up on Race Road, and my mail comes to Box 375.

21           I got here when the meeting started tonight, and all  
22     the ideas that I wanted to talk about have been mentioned many  
23     times over, so I won't go into all of them in detail. However,  
24     well, I'd just like to give you a little excerpt of some of the  
25     things in my life in the last couple of weeks.

1 I got a telephone call from a woman I don't know in  
2 Virginia. She asked me about Kachemak Bay; she asked me where  
3 to go sea kayaking; she asked me about otters. And I told her  
4 about going behind Yukon and Hesketh Island and the beautiful  
5 scenes back there and what she could see. Recently, I've  
6 talked to tourists about the eagles down on the Spit. I have  
7 talked to tourists about how the "L.A. Times" has written up  
8 Halibut Cove as one of their top tourist destinations in the  
9 nation for this coming year. I've told them about other natu-  
10 ral history tours, Seldovia, hiking trails, and, of course, my  
11 own bed and breakfast here in town.

12 Last summer I told a man from New York City  
13 about the life cycle of salmon. I told them about glaciers and  
14 how they shape this area. I've tol- -- I've answered countless  
15 questions about the Exxon Valdez oil spill, of which I wish I  
16 knew more. I've answered a lot of questions about whales in  
17 this area to people from all over this country and all over the  
18 world.

19 I think with this oil sale we're spending a dollar to  
20 retrieve a dime. And what we stand to lose is not just my  
21 business, not just the businesses of other people that work in  
22 tourism here, but that woman from Virginia, the guys from Texas  
23 that I told where to catch dollies on the Anchor River, they  
24 value this area for how clean and pristine it is. I value it;  
25 that's why I moved here. But it's not just us; it's people all

1 over, citizens just like us.

2 And I think, collectively, nobody really wants this  
3 sale. I think the masses don't want it. And so I urge you to  
4 can it. Can the sale. Do whatever you can to recommend that  
5 it's closed down.

6 Finally, I really appreciate that you're here to take  
7 our comments tonight and to listen to us, and that you're --  
8 you've had several meetings like this, you're going to Kodiak.  
9 And I'd like to suggest that, because in the wintertime it's  
10 difficult to travel across Kachemak Bay, and it's expensive to  
11 fly, that maybe you have meetings in Seldovia and Port Graham,  
12 Nanwalek and listen to the folks over there because I think  
13 they'll say the similar -- a similar thing to what you're  
14 hearing here tonight. Thank you.

15 MR. BROCK: Thank you.

16 (Applause)

17 MR. BROCK: Scott Cunningham.

18 (Inaudible audience response)

19 MR. BROCK: He left? S-c-h-a-a-d? Howard? It's not  
20 right.

21 **PUBLIC TESTIMONY OF MR. KONRAD SCHAAD**

22 My name is Konrad Schaad, 53198 McNeil Point, Homer.  
23 I speak for myself, my wife, and my two sons.

24 And when I speak with my sons about the future, they  
25 mention they dream about becoming fishermen or outdoorsmen, and

1 they never quite mention plans yet of becoming oil spill  
2 cleanup workers or anything like that.

3 When I read or listen to any of these studies, we  
4 rely on experts. The last expert I trusted was Joe Hazelwood.

5 (Laughter)

6 So I think that says it all. I'm against it, and I  
7 hope you listen to all these folks here so we don't have to do  
8 the same with the Kachemak buy-back or Bristol Bay. Listen  
9 first and act accordingly. Thank you.

10 MR. BROCK: Thank you.

11 (Applause)

12 MR. BROCK: Todd Radmaker, followed by Ben Levine.

13 **PUBLIC TESTIMONY OF MR. TODD RADMAKER**

14 My name is Todd Radmaker on a boat.

15 MR. BROCK: Would you spell that?

16 MR. RADMAKER: R-a-d-m-a-k-e-r.

17 BY MR. RADMAKER (Resuming):

18 And my P.O. Box is 716. I'd like to thank you gen-  
19 tlemen for giving us this opportunity to exercise democracy  
20 here tonight.

21 I grew up believing -- or I grew up and I learned  
22 that democracy was a -- our government is for the people and by  
23 the people, and that if you are employees of the government,  
24 you are serv- -- you serve us.

25 MR. BROCK: That's right.

1 BY MR. RADMAKER (Resuming):

2 And we, the people of Homer, have spoke resoundingly  
3 and unanimously, and we have said no. And I believe this is a  
4 question of quality of life. And I don't think people like  
5 Exxon have the right to profit on the destruction of our  
6 quality of life. And our quality of life is not for sale.

7 Thank you, gentlemen.

8 MR. BROCK: Thank you.

9 (Applause)

10 MR. BROCK: Ben Levine.

11 SPEAKER FROM THE AUDIENCE: Ben had to go home.

12 MR. BROCK: He had to leave? Okay. Patrick (sic)  
13 King, followed by Sharon W-k-y-t-a-l, I believe it is.

14 MS. KING: It's really Patricia. Thank you.

15 MR. BROCK: I'm sorry.

16 **PUBLIC TESTIMONY OF MS. PATRICIA KING**

17 My name is Patricia King. My address is Post Office  
18 Box 15012, Fritz Creek 99603. Fritz Creek is a little further  
19 out in the woods than the rest of downtown Homer.

20 Sometimes I think that folks like you and some of the  
21 rest of us come from such different places that I feel that I  
22 need to start by trying to explain where I come from. My  
23 parents came to this country as homesteaders -- and I mean this  
24 country here, these woods -- 47 years ago. And I was raised  
25 out there in the deep woods in what was then a pristine woods

1 in a pretty much pristine area.

2 So to me, the changes that have taken place over the  
3 47 years since my parents came here have been somewhat aston-  
4 ishing, coming to modern life from the point of view of a wild  
5 woods child, which is somewhat different from the experience  
6 one would have if they were raised in a city and took things  
7 like pavement and high-rises and oil derricks and all of that  
8 for granted.

9 During the years since my family has been here, I've  
10 seen a lot of physical changes here with my own eyes, predomi-  
11 nantly in the fact that many of the animals, fish, crab,  
12 shrimp, those sorts of things just aren't here like they used  
13 to be. And it's really sad. We used to go down on the dock  
14 here at the end of the Homer Spit, and people would just put a  
15 fishing line in the water and would pull up king crabs. They  
16 were everywhere all over the dock, and you had to worry about  
17 whether one was going to reach out and pinch you if you were a  
18 little kid. Well, they aren't there any more.

19 And your studies tell us that the oil industry  
20 doesn't have anything to do with that. I rather suspect that  
21 the oil industry does have something to do with that, although  
22 that that's probably not the only reason for the decline of  
23 species around here. There are many different factors that  
24 interweave in our universe. I think your studies have been  
25 somewhat minimal, and I don't think you know.

1           Having read the whole DEIS through quite thoroughly  
2 twice, my immediate reaction was that the book you wrote is its  
3 own reason why this sale should not happen. I think sometimes  
4 these plans are created for us by people from that other world  
5 where our world is an abstraction. But to us, these things are  
6 really very real, the health of our fishes and our crabs and  
7 our animals and ourselves.

8           After the Exxon Valdez oil spill, I found myself down  
9 in Valdez with a group of other concerned people, physically  
10 with my hands on oiled otters trying to wash the oil off of  
11 them. And I looked into the eyes of those creatures, and I  
12 don't want to have to do that again. And that's the reality,  
13 and it's not an abstraction.

14           And many of the things that are in your book also  
15 should not be taken as abstractions. And I don't understand  
16 how, whichever version of your spill probability you look at,  
17 be it 27 percent, 72, or 87, how you can consider that that  
18 could happen and that the effects that you predicted that would  
19 happen to the subsistence lifestyle of the communities of Port  
20 Graham and Nanwalek, to even consider that those things were  
21 possible, to me, would take away any logical reason to allow  
22 this to continue, not to mention all of the other byproducts  
23 that are put into the Inlet. And whether you want to count  
24 them or not, they're there, and they're not healthy. You  
25 wouldn't have them for breakfast, and neither would I.

1           Another interesting thing to me about your DEIS is  
2           that you break it down into many different sections, and you've  
3           got your base case and your low case and your high case and  
4           your cumulative case. And I would submit that the only reason-  
5           able way to look at a scenario like that is the entire  
6           cumulative case that does take into consideration this poten-  
7           tial federal sale with the state oil development, with the  
8           logging, with everything else that's going on because it is one  
9           world. It's all connected, and you can't separate it and say  
10          that only this little thing is going to happen here.

11                 And now I have a question for you. How much influ-  
12          ence do the three of you have on this decision? Do you  
13          actually have input into this decision yourselves?

14                 MR. BROCK: Well, I can answer that our job is to  
15          make sure that the decision-makers have all the information  
16          that we've gathered. Yes, we have a recommendation, but we put  
17          together the document, and we put together the information you  
18          give us, and we try to make the most honest represented infor-  
19          mation document that we can possibly put together.

20                 MS. KING: Do you actually make a recommendation,  
21          then, or do you just transmit what we said?

22                 MR. BROCK: We usually make a recommendation, too.

23                 MS. KING: Okay.

24          BY MS. KING (Resuming):

25                 I, for one, would appreciate if you would recommend,



1 based on what's on your own DEIS, that the sale not be held and  
2 go with Alternative 2. Thank you.

3 (Applause)

4 MR. BROCK: Sharon W-h-y-t-z-l, or t-e-l. Or it  
5 could be W-r-y-t, at Post Office Box 1529, Homer.

6 (Inaudible audience response, laughter)

7 MR. BROCK: Really. I feel comfortable that's  
8 correct. Susan A-r-n-d-t, I believe it is.

9 (No audible response)

10 MR. BROCK: Wiley (sic) Dunne, D-u-n-n-e.

11 **PUBLIC TESTIMONY OF MR. WILLY DUNNE**

12 Hi. My name's Willy Dunne, D-u-n-n-e.

13 MR. BROCK: Sorry.

14 BY MR. DUNNE (Resuming):

15 My mailing address is Post Office Box 15043, Fritz  
16 Creek. And I'm here representing myself and my family. Before  
17 my daughter left here, she wanted me to make sure that you knew  
18 that she wants to have her children and her grandchildren to be  
19 able to fish and watch whales out in Cook Inlet. And she's  
20 only five years old, and she cares about that.

21 Thanks for coming here and listening to us. I know  
22 it's been a long night, but I hope you'll listen to what you've  
23 heard and incorporate it in your documents.

24 And what you've heard tonight is that Oil Lease Sale  
25 149 is just unacceptable. It's unacceptable to risk commercial

1 fishing, to risk subsistence lifestyles, to risk jobs and  
2 business income from tourism, charter sport fishing, other  
3 local industries. It's unacceptable to risk harm to marine and  
4 terrestrial wildlife, to risk a unique and sustainable commu-  
5 nity that we have here. It's just unacceptable to risk our way  
6 of life and our home.

7 But what you've also heard here tonight, and the real  
8 reason, as far as I understand being here, is to comment on the  
9 Draft EIS, and you've heard over and over again there's prob-  
10 lems with it. I'm sorry to say, gentlemen, the Draft EIS  
11 sucks.

12 (Laughter)

13 It's not adequate; it's a faulty document. It's inconsistent,  
14 contradicting; it's lacking common sense or scientific  
15 validity. It's supposedly written by experts, but the people  
16 you've heard here tonight, these folks live here, they work  
17 here, they make their living in Cook Inlet. They're not  
18 special interests. They love and care for their home; they  
19 know about it because they love it. And they have reviewed  
20 this document and said that it's just not acceptable.

21 I would ask you to go to Director Gottlieb and Secre-  
22 tary Babbitt and tell them that you need to do it over again.  
23 It's just not acceptable as it is. The -- when you come back  
24 with a final EIS -- and actually, I would hope that you'd come  
25 back with a better draft first -- but when you finally do come

1 back with a final Environmental Impact Statement, if it is an  
2 adequate document, with all the concerns addressed, the only  
3 logical alternative will be to cancel Lease Sale 149.

4 The people that you see here tonight, just a fraction  
5 of the people who care about Cook Inlet. Even five hours ago,  
6 when the place was packed to the rafters, just a fraction of  
7 the people who live and work here and care about the place.  
8 And I guarantee you that if Lease Sale 149 goes ahead, there'll  
9 be many times more people demanding that those leases be bought  
10 back. You'll have to get a bigger room next time -- I don't  
11 know where you're going to find one.

12 What you've heard here tonight from people over and  
13 over again, that the smart thing to do is cancel Lease Sale  
14 149. Otherwise, the people of the United States will have to  
15 pay a stupidity tax years down the road to buy those leases  
16 back, and lawsuits will cost everybody money. So we just ask  
17 that you choose Alternative 2 as the preferred alternative and  
18 cancel the lease sale.

19 So thanks for providing a chance to comment tonight,  
20 but please don't waste our time coming back with any more  
21 poorly written documents with bad ideas like Lease Sale 149.  
22 Please let us get back to our lives; there's other things I'd  
23 rather be doing here than reviewing this and commenting here.  
24 Please let us get back to our lives and our work, and we can  
25 take care of ourselves. Thanks.

1 MR. BROCK: Thank you.

2 (Applause)

3 MR. BROCK: Alla I-r-e-d-a-l-e.

4 (No audible response)

5 MR. BROCK: Not here? Eric Belcher?

6 MALE SPEAKER FROM THE AUDIENCE: He's opposed, but he  
7 must have gone.

8 MR. BROCK: Dan Levinson, L-e-v-i-n-s-o-n?

9 **PUBLIC TESTIMONY OF MR. DAN LEVINSON**

10 Before I start, I'd like to say I am really impressed  
11 by the turnout tonight and the tenacity of the people in their  
12 sincerity. I'm not going to be a zealot when some of them have  
13 been, and I'm not going to be able to come up with a lot of  
14 data that some people have offered. But I'd to.....

15 MR. BROCK: Did I spell your name correct, sir? L-e-  
16 v-i-n-s-o-n?

17 MR. LEVINSON: Yes, you did.

18 MR. BROCK: Okay. And is the -- your address 184  
19 West Bayview Avenue, Homer?

20 MR. LEVINSON: Yes.

21 MR. BROCK: Okay. Go ahead, sir.

22 MR. LEVINSON: Thank you.

23 (Pause)

24 BY MR. LEVINSON (Resuming):

25 For the record, my name is Dan Levinson. I live at

1 184 West Bayview Avenue. I'm a retired biology teacher that  
2 specialized in field observations. My wife and I have lived in  
3 Homer since 1990, so we're relative newcomers here. But we  
4 were camping at Green Timbers back in '62 when there were  
5 timbers to camp under. We came up again in 1970, and again in  
6 the summer of '89 during the oil spill. So we've seen the  
7 changes.

8 I don't profess any great expertise regarding the  
9 biology of Cook Inlet or the Kenai Peninsula, but I do have a  
10 different perspective on this, and I'd like you and the audi-  
11 ence to bear with me.

12 I spent more than 20 years doing field work up in  
13 Nome, Alaska, on the Seward Peninsula. And this includes  
14 studies of red salmon and the rehabilitation, 10 years worth of  
15 sea ice and marine temp recordings, and a natural history of  
16 the Kigluaik Mountain Range. More to the point of this  
17 meeting, I have never forgotten the philosophy and role of  
18 Minerals Management Service at the time of the Norton Sound  
19 lease sale back in 1988. It is that history and your decision  
20 to allow offshore mining, I have been told, are still relevant  
21 to what is happening here tonight. So I've agreed to offer  
22 some brief but pointed testimony at the encouragement of Mr.  
23 Zatz.

24 Mr. Raymond Emerson, you and Mr. George Feloulis (ph)  
25 were listed contacts for the Norton Sound EIS in 1988, and I

1 see that you're also listed for this draft on Cook Inlet. I  
2 think you'd agree that Nome, Alaska, is no hotbed of Greenpeace  
3 environmentalism. But we all knew the value of our salmon,  
4 king crab, tomcods, and marine mammals, especially the seal and  
5 walrus used by Native people. So imagine my surprise, skimming  
6 in the middle of the Norton Sound EIS and reading something  
7 about moose being affected by offshore dredging.

8 I want to quote a part of a paragraph on page 4-B-95.

9 Quote:

10 "Major effects on Nome subsistence harvests are  
11 expected as a result of the proposed lease sale.  
12 Major effects would occur as a result of  
13 increased levels of mercury in the water column  
14 that would bioaccumulate through the food chain.  
15 If harvests of marine resources, particularly  
16 seals and possibly walrus and crabs, become  
17 unavailable -- a major effect -- it is probable  
18 that hunters would turn to other sources for  
19 their meat. The most logical resource that  
20 would receive more harvest pressure is moose.  
21 It is the only large terrestrial animal -- par-  
22 don me -- mammal available, and it is the only  
23 resource, other than small mammals and bear,  
24 which is not as plentiful or desirable, that is  
25 not likely to have elevated blood levels of

1 mercury."

2 I had to read that several times to figure out what  
3 you guys were really saying. What you were really saying  
4 was -- and saying it mostly to the Native community -- that you  
5 were going to okay offshore dredging for gold even though it  
6 was going to put mercury in the water column. And you were  
7 saying to the Inupiat and Yupiks, 'Let them eat moose.'

8 All night long, the spotlight has been on this beau-  
9 tiful Kachemak Bay and people's dependency on it and their love  
10 of it. But I want to put the spotlight right on Minerals for a  
11 moment and their philosophy. In spite of the question of  
12 methyl mercury, Minerals Management went on record as in favor  
13 of that lease sale. In a Final EIS, Minerals said, 'All those  
14 tests showing potential for methyl mercury contamination were  
15 flawed.' But the important issue is that Minerals Management  
16 would have continued that sale regardless.

17 And I would like to add as an aside that I know Dave  
18 Escoldson (ph) and Tom Peters pan metallic mercury on the  
19 beaches of Nome. My student, Stewart Bachman (ph), was squeez-  
20 ing metallic mercury out of the mud at Belmont Point. You  
21 can't tell me there's no mercury out there.

22 In conclusion, I think Minerals Management needs to  
23 make it clear to the community of Homer that they are in busi-  
24 ness to encourage location and extraction of minerals and are  
25 bounded only by the law, not aesthetic values, not cultural

1 traditions, not economic dependencies, not religious views of a  
2 living earth. I press this because there's a lot of well  
3 meaning people out there wanting badly to find ways of intelli-  
4 gent compromise. That's quite laudable. But unless Minerals  
5 has undergone a major change since 1988, I think those well  
6 meaning people are going to have to think about picking a side  
7 to fight on.

8 I'm sorry this sounds so adversarial, but we must  
9 remember, Exxon didn't have an oil spill problem. They handed  
10 us an attitude problem that made things worse. If Minerals  
11 insists on allowing drilling in one of the most active seismic  
12 zones in the world, then we will risk one of the most produc-  
13 tive marine systems in the world.

14 The real struggle to protect what we have starts  
15 after you folks go back home. I hope we're equal to the task.  
16 I hope we don't get our hearts broken. Thank you.

17 MR. BROCK: Thank you.

18 (Applause)

19 MR. BROCK: Ader Newton? N-e-w-t-o-n?

20 (No audible response)

21 MR. BROCK: Jessica B-r-a-i-n-a-r-d.

22 (No audible response)

23 MR. BROCK: That's all I have on my list. Is there  
24 anybody here that would like to make a comment? Okay. I got  
25 one coming from the back there.



**PUBLIC TESTIMONY OF MR. CHRIS CHAVASSE**

Good evening, gentlemen. I did submit my name. It is Chris, C-h-r-i-s, Chavasse, C-h-a-v-a-s-s-e. And I'm here representing myself, but I'm wearing a t-shirt that my kids sent me from Fairbanks, and it says "Treasure the Earth's Magic." And these kids picked it out themselves, I understand.

It is my belief that the fundamental magnificence, the peace, and the dignity of lower Cook Inlet will be substantially impaired by proposed Lease Sale 149. Although the Draft EIS for this proposed sale is an important contribution to the understanding of the Inlet's overall dynamics, it falls short in several critical areas.

One, the long-term implications of industrially imposed social disruption are not considered. The equal protection of the rights of those most likely to suffer direct effects of accidents are not considered. The evident weight placed on long-term externally controlled profits, including those to governmental organization, is inappropriate. It lacks social, spiritual, and environmental sensitivity and responsibility.

Four, the water quality assessments are flawed in their design and analytical method.

Four-A, the design is evidently subjective. It inadequately identifies areas subject to sedimentary deposition and, by extension, ignores the necessary examination of poten-

1 tial and extant biologically active reservoirs of anthropogenic  
2 contaminants.

3           The bioassays are similarly deficient in scope.  
4 Neither the species' locations nor the contaminant selection  
5 provide a scientific basis for consideration in defining the  
6 anthropogenic contaminant contribution or burdens in the marine  
7 living resources of the surrounding and common areas. And by  
8 the surrounding and common areas, I wish to imply the oceanogr-  
9 aphical, geographical, and atmospheric commonalities, both  
10 within the immediate vicinity of the proposed sale and those  
11 that are scientifically identified as being dynamically con-  
12 nected by natural environmental functions. These are not  
13 evidently connected within the Draft Environmental Impact  
14 Statement.

15           Four-C, the dependence of local coastal communities  
16 on the commonly occurring aquatic life for subsistence, com-  
17 merce, and recreation has been effectively ignored in the  
18 species bioassay selections. The expense alluded to in your  
19 presentation of the report as a limiting factor in establishing  
20 contaminant knowledge is an economic veil which impugns the  
21 integrity of scientific assessment of the biology of the organ-  
22 isms/species extant in this area.

23           Without a thorough, broad-spectrum analysis of the  
24 micro-organism communities; all-important subsistence, commer-  
25 cial, and recreational species; and endemic and migratory avian

1 populations, the assessment is incomplete. A species contami-  
2 nant burden bioassay that is as limited as the one performed  
3 for the DEIS is misleading insofar as it denies fundamental  
4 toxicological assessment methodologies and ignores the interac-  
5 tive elements that induce deleterious biological effects in  
6 organisms small and large. And that includes us, and there are  
7 no human bioassays noted in your report. I think that is a  
8 fundamental flaw, too.

9           The ubiquity of a commonplace occurrence of manmade  
10 environmental contaminants in every aquatically oriented  
11 species of the planet is well noted in archives, journals, and  
12 papers, published and unpublished, of the sciences of environ-  
13 mental assessment and toxicology. No total contaminant burdens  
14 are noted in this DEIS. Consequently, no conclusions can be  
15 drawn by the doctor who prepared for this section of the  
16 report.

17           The further assessment of anthropogenic pollution of  
18 the species in the area should adhere to the strictest scien-  
19 tifically reliable measurements of persistent and other toxico-  
20 logically active substances. The outmoded methodology intrinsic  
21 to many EPA assessment criteria developed in the 1970s are  
22 often still utilized. This must be avoided in the further  
23 evaluation of the areas' environmental corruption -- I'll say  
24 that again. This must be avoided in the further evaluation of  
25 the area's environmental corruption by industrially manufac-

1       tured and population generated products and poisons.

2               I personally would like to see the contaminant data  
3       undergo a complete review by the United States Department of  
4       the Interior, Environmental Sciences Laboratory in Pawtucksett  
5       (ph), Maryland, to ensure that they are conclusive and that  
6       they are accurate.

7               At this time in human history, the advanced sciences  
8       have concluded that the very life support systems that we rely  
9       upon are in jeopardy from biospheric pollution, which places  
10      all of us in jeopardy. Alaska is an Arctic state and, as such,  
11      is highly vulnerable to pollutants generated within her own  
12      borders and is, with other.....

13      (Off record)

14      (Tape Change - Tape No. 5 of 5)

15      (On record)

16      BY MR. CHAVASSE (Continuing):

17      .....in the lower latitudes of the planet. Many, if not most,  
18      of these poisons are byproducts of industry, subsidiaries, or  
19      associates of the industry that proposed Lease Sale 149 is  
20      promoting. This fact should be borne out by a comprehensive,  
21      broad-spectrum contaminant bioassay analysis.

22               Suffice it to say that it is indeed a peculiar mad-  
23      ness that, despite incontrovertible evidence implicating fossil  
24      fuels and their byproducts in the demise of the genetic integ-  
25      rity of biological life as we know it, the governments -- that

1 is plural -- in whom we put our trust, maintain their right to  
2 expand the development of the sources of these biologically  
3 active toxins.

4 The DEIS states that global, or big picture, concerns  
5 are beyond the scope of the agency. This is an unfortunate  
6 statement and truly indicative of the lack of inter-agency  
7 involvement that the public rightfully expects. This is per-  
8 haps the first example of rationalized, willful ignorance that  
9 can be found in a living document.

10 What is at stake here, as in ANWR and elsewhere, is  
11 our future health, the health of future generations, and the  
12 type of biological diversity that has provided for the magnifi-  
13 cent natural productivity we know on the planet today. What is  
14 at stake here is also the peace that we hold so dear in our  
15 experiences of the natural world and the dignity that we are  
16 afforded in our knowledge that we are doing what is truly right  
17 for now and for the future.

18 So please consider, for the administrative record,  
19 that I oppose present and further production from oil-bearing  
20 deposits in the lower Cook Inlet, and I am specifically opposed  
21 to Lease Sale 149. If this sale is developed, it will directly  
22 and further impugn my peace, dignity, and health. It will also  
23 substantively detract from the beauties that maintain my  
24 excitement and love for our natural environment.

25 And I would hope that you don't waste any more money

1 in going forward with a final Environmental Impact Statement  
2 and that you just can this whole thing right now and get real,  
3 folks. Thank you.

4 (Applause)

5 MR. BROCK: Thank you. Young man?

6 (Pause - Whispered conversation)

7 **PUBLIC TESTIMONY OF MR. ERIC BREMICKER**

8 My name is Eric Bremicker, and Bremicker is B-r-e-m-  
9 i-c-k-e-r. I'm from the Fritz Creek area, P.O. Box 15126.

10 In the EIS it seems you've missed over -- or forgot-  
11 ten to include a whole section of damage that bringing this oil  
12 out of the ground will do, and that's what the oil will do  
13 after it's burned as gasoline. It will be burned in the United  
14 States and all over the world, and put tons and tons of pollu-  
15 tion into the air. And I didn't see anything in that -- about  
16 that in the EIS.

17 That was just the first thing I wanted to say. Also,  
18 I've been living here for all my life, 16 years, and when I was  
19 a little kid, I would look into tide pools, and they were very  
20 full of life, hundreds of different creatures in them, all  
21 kinds of unimaginable life forms. And up until the point of  
22 the Exxon oil spill, it was -- it's always been like that. But  
23 afterward, even in the places that the oil spill never reached,  
24 all the way in the back of Kachemak Bay, you look into the tide  
25 pools, and there's hardly anything. There's sea anemones and

1 Irish lords, and that's pretty much it.

2 And this -- like some of these people mentioned, this  
3 whole Cook Inlet is basically a big tide pool. It's got gyres,  
4 and the water pretty much stays in one place. So, I mean, if  
5 there's pollutants being dumped into it, it's going to end up  
6 like that because a lot of the oil didn't reach back into those  
7 tide pools that are now pretty much empty, and they're now  
8 pretty much empty. Thank you.

9 MR. BROCK: Thank you.

10 (Applause)

11 MR. BROCK: Who's next?

12 **PUBLIC TESTIMONY OF MR. CHRIS HERREID**

13 My name is Chris. That's spelled H-e-r-r-e-i-d. My  
14 mailing address is P.O. Box 1358, Homer.

15 I just walked into this kind of cold. I don't -- I  
16 haven't read this, but I'm just going to kind of talk about the  
17 way I feel.

18 I came here about five years ago, 1990, and 1991, I  
19 went out in Prince William Sound and worked the herring fishery  
20 there, and it was my first experience out in water. And it was  
21 pretty impressive 'cause in 20 minutes, I saw this guy pack two  
22 tenders full of herring. That's about -- he made about  
23 \$375,000 in 20 minutes, and I thought that was pretty impres-  
24 sive.

25 And the next year, '92, there -- some herring came

1 back, but they had cancer on them. And then '93, no herring;  
2 '94, no herring. This year they're not even going to bother  
3 opening up Prince William Sound.

4 Now, I would imagine that a lot of the justification  
5 for opening up this drilling would be that it is oil equals  
6 revenue, oil equals money. Well, as far as I can tell, in my  
7 five years, oil equals death.

8 And I just bought some land here. I'm in it for the  
9 long run, and I don't like the way I see things going. And so  
10 I urge you most heartily to just can this whole thing 'cause I  
11 don't want to bring my kids up looking out over oil rigs and  
12 all that. I mean, this is just common sense.

13 I mean, you look at -- if you go over to Prince  
14 William, and these guys just have to bring in a boat, fill it  
15 full of oil, and take it out. The Valdez Narrows is miles and  
16 miles wide, and they brought it up on the biggest known naviga-  
17 tional hazard in the Sound. I mean, that's just incredibly --  
18 and now they want to go out in Cook Inlet? I mean, comparing  
19 Prince William to Cook Inlet, it's like a duck pond versus an  
20 ocean. I mean, the tides there, the power of that ocean is  
21 just astounding.

22 And I think that to think that you could actually  
23 drill there and not completely ruin it is just absolutely  
24 ludicrous. I mean, let's just look at this from common sense  
25 and history. It's absurd. And I don't want to live with this.



1 I mean, they're going to -- the people who are going to make  
2 money from this do not live here. They're just going to -- you  
3 won't see them at Eagle. They're just -- the money's going to  
4 go out, and then we're going to sit here and deal with it for  
5 the next -- just look at all this pollution and death. And I  
6 don't -- I live here. I don't want to deal with it.

7 So if it goes through, it's going to spill, it's  
8 going to kill. And it's not good. And what about -- I mean,  
9 this -- these birds that go from like South America all the way  
10 up to ANWR, they -- you know, this is a big stopover. They're  
11 going to come here, they're going to ingest all this oil,  
12 they're going to go and they're going to die. And other  
13 animals that depend on them, it's going to have -- the effect  
14 of this legislation could be worldwide in terms of environmen-  
15 tal impact.

16 So, please, just stop it. I don't want to deal with  
17 it. Nobody else wants to deal with it. My kids don't want to  
18 deal with it. Thank you for coming and listening. I appre-  
19 ciate it.

20 MR. BROCK: Thank you.

21 (Applause)

22 **PUBLIC TESTIMONY OF MS. TERI SHUMAKER**

23 Good evening. My name is Teri Shumaker. That's  
24 T-e-r-i S-h-u-m-a-k-e-r, Post Office Box 443, Anchor Point,  
25 Alaska.

1 I've been coming to Homer and Anchor Point as a  
2 tourist every year for the last four years. I spent all that  
3 time on the waters and on the beaches. My tourist dollars went  
4 to Homer residents who own the Homer businesses. I know that's  
5 true because in the last year, I've had the opportunity to meet  
6 all of those business owners.

7 I now live in this area because I want to continue to  
8 enjoy the way the colors of the water change as the atmospheric  
9 conditions change. I want to continue to enjoy the marine  
10 wildlife and walking on the beaches. I have just purchased  
11 property that has an outstanding view of Cook Inlet and the  
12 Kachemak Bay. I did what every other view property owner has  
13 done: I paid a premium for it. I spend much of my time out-  
14 doors enjoying the natural beauty here. When I'm in my own  
15 home, I want to look at the Kachemak Bay and lower Cook Inlet  
16 and enjoy it.

17 No matter how strict the controls are, there can be  
18 oil accidents. There will be pollution of the waters and the  
19 land due to normal day-to-day oil activities. If the proposed  
20 oil leases are canceled, our nation will not be adversely  
21 affected. We do not need oil from Cook Inlet. I say no to oil  
22 leases in Cook Inlet.

23 Before you leave Homer, please allow time to sit in  
24 the viewing area on Baycrest Hill. Turn off the car engine,  
25 don't talk, just look at the water for a while. You may notice

1 a calming effect. You may notice your stress level going down.  
2 You may also notice other cars coming into that viewing area.  
3 Some of the occupants of those cars will be visitors; most of  
4 the occupants of those cars are residents of Homer and Anchor  
5 Point.

6 Natural beauty is important to everyone's mental  
7 health and physical health. Oil exploration and production  
8 destroy natural beauty. Thank you.

9 MR. BROCK: Thank you.

10 (Applause)

11 MR. BROCK: Does anybody else like to testify? Yes,  
12 sir.

13 **PUBLIC TESTIMONY OF MR. DAVE LYON**

14 Yeah, my name is Dave Lyon. I live in Homer. My  
15 mailing address is Box 47. The name is Dave L-y-o-n.

16 I've been here five years solid now, and I was up  
17 here on and off for five years before that. And in that time,  
18 I've worked as a charter fisher on the charter boats, a commer-  
19 cial fisherman, and I've worked for the State. I also enjoy  
20 going fishing on -- every opportunity I have.

21 The way I understand the DEIS is, ultimately, the  
22 results of this are going to adversely affect all of my profes-  
23 sional avocations and all of my hobbies. Everything I do to  
24 make money here and everything I do with my money will be  
25 negatively affected by the results of oil drilling in lower

1 Cook Inlet.

2 I wasn't going to come here this evening because I  
3 don't necessarily believe that what we say here has any ulti-  
4 mate effect on the decisions that I think may have already been  
5 made. The reason I am here is because I hope I'm wrong. And I  
6 hope that by adding my voice to the voices of my friends and  
7 the people that I consider to be my family, who are here behind  
8 me, that you will hear us. And I cannot imagine you going  
9 forth from this meeting with anything other than the recommen-  
10 dation that this is not a good plan.

11 Oil drilling in lower Cook Inlet is not going to do  
12 us any good here in Homer. We're not going to get hired.  
13 We're not going to work on the rigs. I'm not a rigger; my  
14 friends aren't riggers, and we don't know any riggers. They're  
15 going to come up from Louisiana and Arkansas, Texas, or even  
16 just down from Kenai. But those aren't jobs for us. Our jobs  
17 are going to be cleaning up the oil that washes up onto our  
18 shores. And to be perfectly honest, I think we'd rather be  
19 idle than employed cleaning up oil on our beaches.

20 Enough of the oil areas have been developed now for  
21 us to see what happens when they are developed. We need to put  
22 an end to this. It's simply not a feasible use of what's left  
23 of our undisturbed wilderness. And I think that it's pretty  
24 clear that I'm opposed to this lease sale. Thank you.

25 MR. BROCK: Thank you. Anybody else?

1 (No audible response)

2 MR. BROCK: It looks like we have come to the close  
3 of the evening. I do want to thank you all for coming. We  
4 really appreciate you coming out. We really appreciate the  
5 work you've done at looking at this and hearing your views on  
6 this.

7 We don't take this assignment lightly. We're not  
8 going to walk out of here tonight and say, 'Ah, forget it. It  
9 was just Homer.' Everything that was said here tonight will be  
10 read by every one of the staff that was involved in preparing  
11 this EIS. Every letter that's prepared -- I'm not going to  
12 read all the names and everything -- it will go into the offi-  
13 cial record. Those will all be read by everybody that's  
14 involved in preparing the EIS. They will either be answered  
15 individually, or if they are very similar to something else,  
16 they'll be answered in the Final EIS, if the decision is to  
17 proceed with the Final EIS. That decision has not been made  
18 yet.

19 If the decision is made to proceed with the Final  
20 EIS, that will -- that document will be prepared with either  
21 changing the Draft EIS or a response to each and every one of  
22 the comments that are in the Final EIS. And then it will be  
23 published. Then the major decision will be made whether the --  
24 this lease sale will go forth. So -- and if the final deci- --  
25 if the Final EIS is going to be published, it'll be published

1 in about a year from right now. I don't have that exact date,  
2 but about that. So you will know about what the time frames  
3 are if it's going to proceed.

4 I really want to thank the students. I wish there  
5 was more of them here tonight. They were very enthusiastic,  
6 and I really appreciated them coming.

7 MR. KILCHER: If I may, sir?

8 MR. BROCK: Yes.

9 MR. KILCHER: Say a very few words.

10 **FURTHER PUBLIC TESTIMONY OF MR. YULE KILCHER**

11 I didn't realize that you were federal people. I  
12 thought you might know me. I'm probably the oldest Alaskan  
13 resident in this audience here. I helped write the Alaska  
14 Constitution. I was, for four years, a State Senator, Chairman  
15 of Resources, and so on. I know what's going on in Alaska the  
16 last 50, 60 years. I'm an immigrant from Switzerland. I have  
17 a family, children and grandchildren, two and a half dozen,  
18 here in Alaska. So I'm very concerned.

19 I understand the politics of the oil companies and so  
20 on, but I want to -- I want you gentlemen to understand that my  
21 background is one of pre-history. I studied archeology in the  
22 Sahara in 1934. I came to Alaska with specific reasons for  
23 having lost confidence in civilization. I've studied lost  
24 civilizations in Arabia, in the Gobi Desert. We are at the end  
25 term of an interesting historic epoch.

1           Gentlemen, the question is, on this escalating curve,  
2 where are we? How flat is the curve? How sharp is it? Where  
3 is the end? I have spoken to a lot of interesting people when  
4 I had a conference at the Smithsonian Institution in Washing-  
5 ton, D.C., very interesting persons that largely agreed with  
6 me.

7           And they would agree, and you gentlemen might agree,  
8 some of my wealthier business acquaintances in Alaska agree  
9 with me. They would like to see this area as a sanctuary --  
10 sanctuary in the etymological sense of the word, something  
11 saint almost, as sanctuary where maybe you and your own chil-  
12 dren someday will take refuge when you don't want to be hit the  
13 fan (sic) within the next 20 or 30 years and possibly sooner.  
14 Good night.

15           MR. BROCK: Thank you.

16                           (Applause)

17           MR. BROCK: I really want to thank you all for  
18 coming, and we've got to clean up here when we get done. And  
19 I'm glad you stayed clear through the end. I really appreciate  
20 it. Thank you much. We're closed.

21  
22           (Whereupon, the proceedings in the above-entitled  
23 matter were concluded at 1:15 a.m.)  
24  
25

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## C E R T I F I C A T I O N

STATE OF ALASKA )  
 )  
THIRD JUDICIAL DISTRICT ) ss.  
\_\_\_\_\_ )

I, CINDY S. CARL, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

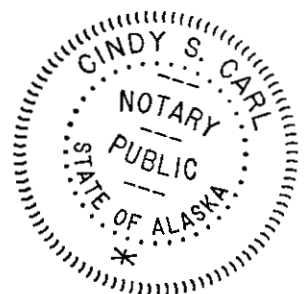
(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl  
Cindy S. Carl  
Certified Court Reporter

DATE: 3/25/95



1 DEPARTMENT OF THE INTERIOR  
2 MINERALS MANAGEMENT SERVICE  
3  
4

5 OFFICIAL TRANSCRIPT  
6

7 PUBLIC HEARING  
8

9 COOK INLET SALE 149  
10  
11

12 Kodiak Borough Chambers  
13 Kodiak, Alaska  
14

15 Wednesday, March 8, 1995  
16 7:00 o'clock p.m.  
17  
18

19 MMS PANEL MEMBERS

20 Mr. Bob Brock  
21 Regional Supervisor, Leasing and Environment of the  
22 Alaska OCS Region  
23 Mr. Barry Boudreau  
24 Regional Supervisor for Field Operations  
25 Dr. Ray Emerson  
DEIS Project Leader, Leasing and Environment Office

Proceedings recorded by electronic sound recording. Transcript  
produced by transcription service.

KODIAK, ALASKA - WEDNESDAY, MARCH 8, 1995

(On record at 7:00 p.m.)

(Tape No. 1 of 1)

MR. BROCK: I think we'll go ahead and get started. First, I'll -- right off the bat, I'll apologize for the distance we are from you, but since that's the way the room is designed, we'll -- I hope that does not intimidate anybody from the standpoint that we're standing -- we're sitting behind these -- this desk here. It's not meant to be that way, but we want you to feel very at home and relaxed as possible.

Good afternoon, and welcome to the hearing on the Draft Environmental Impact Statement for the Proposed Federal Oil and Gas Lease Sale No. 149 in the Cook Inlet.

My name is Bob Brock, and I'm the Regional Supervisor for the Leasing and Environment Office of the Alaska OCS Region of the Minerals Management Service in Anchorage. Other panel members include Barry Boudreau, who is the Regional Supervisor for Field Operations in MMS in Anchorage, and Ray Emerson, who is the Project Leader on this Draft EIS preparation that we are having the public hearing on tonight.

This is the fifth and final public hearing to be held on this Draft EIS. We held a teleconference with Seldovia; we had a public hearing in Anchorage, Kenai, and Homer. The one in Anchorage was last Friday, the one in Kenai was Monday

1 evening, and the one in Homer was last night.

2 The purpose of this hearing is to receive the views  
3 and comments and suggestions of interested individuals and  
4 representatives of local government and organizations on this  
5 Draft Environmental Impact Statement. This Draft Environmental  
6 Impact Statement covers approximately 2 million acres which are  
7 being considered for leasing in the Cook Inlet planning area,  
8 or about 37 percent of the entire planning area.

9 The major goal of this sale, in accordance with the  
10 Outer Continental Shelf Lands Act, is to find out more pre-  
11 cisely where the domestic energy supplies are, how much is  
12 there, and allow them to be produced where it is possible to do  
13 so in an environmentally safe manner.

14 We have the responsibility to fulfill the mandates  
15 set forth in the Outer Continental Shelf Lands Act and its  
16 implementing regulations. In doing so, we strictly observe all  
17 the requirements of the National Environmental Policy Act, the  
18 Endangered Species Act, the Marine Mammals Protection Act,  
19 Coastal Zone Management Act, and the Oil Pollution Act. In  
20 addition, MMS has in place a host of regulations and operating  
21 rules that are designed to assure continued safe and clean  
22 offshore oil and gas activities. There are many additional  
23 safeguards that I won't go into the detail tonight.

24 Discharges from OCS oil and gas exploration and  
25 production activities will be subject to the Environmental

1 Protection Agency's national pollution discharge elimination  
2 system, commonly referred to as the NPDES permits. Under a  
3 local memorandum of agreement between the Minerals Management  
4 Service and the Environmental Protective Agency, the MMS has  
5 agreed, on federal platforms in federal waters, to conduct the  
6 NPDES permit compliance inspections of OCS facilities in con-  
7 junction with normal drilling and production inspections.

8 Under this agreement, the MMS collects samples of  
9 discharges and provides them to EPA for independent analyses.  
10 The MMS has been conducting these NPDES permit compliance  
11 inspections in federal waters since 1989. We are aware that  
12 EPA recently fined companies in upper Cook Inlet for violation  
13 of their NPDES permit conditions relating to discharges that  
14 exceeded permit limits, mostly for sanitary and domestic  
15 wastes, but also for some oil and grease discharges.

16 The MMS recently completed a water quality study in  
17 Cook Inlet which examined hydrocarbon concentrations in  
18 water, sediments, and mussels and found no evidence of hydro-  
19 carbon contamination. The MMS study did not look for contami-  
20 nants related to sanitary and domestic conditions. However,  
21 the study did perform sensitive life stage bioassays which  
22 indicated no harmful levels of contaminations in general.  
23 These study results are discussed in the Draft EIS, and a final  
24 report is available, if you are interested in it, by contacting  
25 our office.



1           This Draft Environmental Impact Statement represents  
2 approximately three years of preparation, which include such  
3 actions as the call for information, area identification, and  
4 scoping. You have been a part of this process through your  
5 earlier comments and are being asked once again to give us your  
6 comments. The Environmental Impact Statement is a very impor-  
7 tant element in the decision process. The law requires consid-  
8 erable consultation with the Governor to balance national needs  
9 with the well-being of local citizens.

10           We want everyone here to understand that MMS does not  
11 take this proposal lightly and that we approach all leasing  
12 decisions very cautiously and carefully. For example, as a  
13 result of the public input directly from people like yourselves  
14 here in Alaska, the MMS deleted a majority of the Shelikof  
15 Strait portion of the planning area, which included about 1.7  
16 million acres.

17           Also, the Sale 149 Draft EIS contains mitigating  
18 measures that have, for the first time, been made a part of the  
19 proposed action at this early phase of the decision process,  
20 which also was a suggestion made right here in Alaska at public  
21 hearings. There are also additional potential mitigating  
22 measures analyzed in the EIS.

23           Another example of our attempts to be more responsive  
24 to public input is that concurrent with the release of the  
25 Draft Environmental Impact Statement, the proposed notice of

1 sale is also available at this time for comment. In the past,  
2 the proposed notice of sale was provided after the release of  
3 the Final Environmental Impact Statement. By releasing it at  
4 this point in time, this is what the proposed notice of sale  
5 would look like based on the information in the Draft EIS.

6 I will call today's speakers in the order in which  
7 they have registered, and if you wish to speak but have not  
8 already signed in, please register with Dick Roberts, sitting  
9 back there by the door. We have just a few rules I'd like to  
10 ask you to follow to ensure that the hearing runs smoothly.

11 Please state your name, address, and organization or  
12 agency which you represent. Please spell your name so we get  
13 that properly in the transcript. And, please, if you could,  
14 we'd appreciate you holding your comments to about 10 minutes  
15 or less. If you have prepared written testimony, please give a  
16 copy to our court reporter, sitting right here on my left.

17 An official recorder will make a verbatim transcript  
18 of the hearing, and everything that is spoken when the hearing  
19 is in session will be recorded. Copies of the transcript are  
20 available from Mr. Robert Carl, sitting there, of Executary  
21 Court Reporting Services. And his phone number is (907) 272-  
22 4084. That's Anchorage, 272-4084.

23 The purpose of this hearing is to improve the quality  
24 of our Environmental Impact Statement before it is put in final  
25 form. Speakers will not be questioned unless a member of the

1 panel wishes to have some facts clarified or obtain additional  
2 information. We are interested in understanding your views  
3 about this Environmental Impact Statement.

4 The comment period for this document closes April  
5 19th, 1995. Until that time, MMS will accept written comments  
6 and statements from anyone who would prefer to make written  
7 rather than oral comments. And those written comments and  
8 statements should be sent to our address that you can obtain  
9 from Mr. Dick Roberts back there if you so desire. Again,  
10 remember, the comment period for this Draft EIS closes on April  
11 19th, 1995.

12 Looks like we have, at the present time, two, four,  
13 six, eight people that have registered to testify, and we'll  
14 start right at the top of the list with Kristin Stahl-Johnson.

15 (Pause)

16 MS. JOHNSON: I think there might other people who  
17 want to testify that didn't put asterisks on there.

18 MR. BROCK: Yes, and if you did not put an asterisk,  
19 when we get through the ones that did, well, I will call that  
20 from the floor so nobody has to feel like they're going to miss  
21 a chance to testify. I want to make sure we hear everybody.

22 **PUBLIC TESTIMONY OF MS. KRISTIN STAHL-JOHNSON**

23 Okay. My name is Kristin Stahl-Johnson. That's  
24 K-r-i-s-t-i-n S-t-a-h-l-Johnson, P.O. Box 2661, Kodiak 99615.  
25 And I'm here representing the Kodiak Conservation Network.

1           Kodiak Conservation Network currently has 55 members,  
2 but we are not necessarily a membership organization but one  
3 that works with other organizations that have similar concerns  
4 to be able to be responsive to conservation concerns for the  
5 Kodiak region. KCN started as a -- it began as a response to  
6 the Exxon Valdez oil spill, and recognizing the impacts of that  
7 spill and oil issues on our personal and professional lives,  
8 KCN Board members are actively involved in the prevention,  
9 preparedness, and response planning for oil spills which would  
10 impact Kodiak -- have and would in the future.

11           We are also a member of the Oil Spill Regional Envi-  
12 ronmental Coalition, which has a seat on the Prince William  
13 Sound RCAC; the Prince William Sound Regional Citizens Advisory  
14 Council; and participate in the Cook Inlet Regional Citizens  
15 Advisory Council. And we're a member of the Alaska Marine  
16 Conservation Council, which is a statewide marine conservation  
17 organization.

18           Kodiak Conservation Network opposes oil and gas  
19 development in the OCS of the Outer Continental Shelf of lower  
20 Cook Inlet and Shelikof Strait for the same reasons that we  
21 oppose this sale when it included the whole of Shelikof Strait.  
22 At this point, there are clearly no economic benefits for  
23 Kodiak and only the risk that is taken with expanding oil  
24 development. Currently, we have risk of oil spills from both  
25 Prince William Sound and Cook Inlet.

1           And depending on how you read your Environmental  
2 Impact Statement on the different ways that -- the different  
3 scenarios that you can lay out there, we can experience as much  
4 as a 72-percent probability of another major oil spill. That  
5 is an unacceptable expectation of risk for an area that is so  
6 rich in fisheries and natural resources, biological resources.

7           OCS 149 would be the first sale in the Exxon Valdez  
8 oil spill region, and this proposal is completely inconsistent  
9 with the Trustees agencies' responsibility for restoration of  
10 damaged resources from the oil spill. The Kodiak Island  
11 Borough, which includes the Barren Islands and the western  
12 shore of Shelikof Strait, received more recorded miles of oiled  
13 shoreline than any other -- than the entire rest of the EVOS  
14 region, the Exxon Valdez oil spill region. In other words,  
15 more oil can potentially hit and damage Kodiak from a major oil  
16 spill than any place else.

17           And this is because Kodiak is essential to the bio-  
18 logical currents and -- essential to what I call the biological  
19 pump of the Gulf of Alaska. We're essential to the main  
20 habitat region for fisheries and marine production. And there-  
21 fore, it's critical habitat for all the resources, all the  
22 biological resources in the Gulf of Alaska. We can list all  
23 the species that are named for marine mammals and fish and  
24 crustaceans that are in the EIS. Their abundance in the Gulf  
25 of Alaska is highest around this island.

1           Excuse me a moment. I'm not entirely prepared to go  
2 smoothly here.

3                               (Pause)

4           There -- even though there was such a significant  
5 amount of oiled shoreline, there was no -- there has been no  
6 significant research on the long-term impacts of EVOS in our  
7 effort. And though most of the effort has been focused on the  
8 Sound, because everyone considers the Exxon Valdez a Prince  
9 William Sound spill, we still don't know what the long-term  
10 impacts are here.

11           We're downstream from Prince William Sound; we're  
12 downstream from Cook Inlet, and definitely downstream from the  
13 proposed OCS 149. It's inconceivable to the Kodiak Conserva-  
14 tion Network that we should further jeopardize the richest --  
15 some of the richest fisheries resources in the world by expand-  
16 ing oil production. The same justifications which sought --  
17 which created the buy-back of the Bristol Bay lease sales,  
18 stopped the joint Chukchi Sea sale, created the buy-back of  
19 Kachemak Bay sales in the past are all the same justifications  
20 of why we should not have oil development in -- or continue to  
21 expand that oil development to impact Kodiak.

22           Having worked for four years on spill prevention  
23 response and preparedness development on -- in working with the  
24 Prince William Sound RCAC, I can definitely state that we are  
25 not there yet in terms of prevention and response. There is no

1 significant oil industry effort to prevent or protect Kodiak  
2 outside of Prince William Sound or the lower Cook Inlet from  
3 existing oil spills and existing Cook Inlet operations.

4 There's no vessel traffic system in Cook Inlet.  
5 There's no protection at Hinchinbrook -- outside of Hinchin-  
6 brook Entrance for vessels that leave Prince William Sound,  
7 travel around the Kenai Peninsula, and enter Cook Inlet carry-  
8 ing the same North Slope crude that they're highly protected  
9 (sic) inside the Inlet and we -- inside the Sound. And we  
10 continue to be exposed to those risks, and there is no demon-  
11 stration of, I would call it, good faith to date that we will  
12 be protected from another major oil spill.

13 There's -- there are no double-hulled tankers now.  
14 The double-hulled tankers aren't required until the year  
15 nine -- 2015. That still puts us way far away from any signif-  
16 icant prevention. And currently, oil spill response plans do  
17 not fully utilize the logistic resources on Kodiak Island to  
18 prevent another spill -- to respond to another spill. There  
19 are a lot of federal requirements, a lot of legislation that  
20 you discussed earlier that theoretically put safeguards in  
21 place to protect us. But these safeguards are mostly lip  
22 service since there's no money or enforcement capability behind  
23 them.

24 The reason that there were 4,200 violations recited  
25 in the NPDES permits in upper Cook Inlet, and why the EPA took

1 so long, eight years, to bring enforcement action against those  
2 folks, is because they don't have the enforcement capability  
3 that these laws are supposed to protect us with. And on top of  
4 that, those rigs are self-reporting. So if there's 4,200  
5 violations, what was it that wasn't reported?

6 The Outer Continental Shelf Lands Act, the National  
7 Environmental Protection Act, the Clean Water Act have all  
8 been, at one point or another -- and all the environmental  
9 protection acts have been violated by the oil industry, but  
10 they have -- but there hasn't been an ability to really --  
11 to -- a consistent, tenacious expectation that they will  
12 respond to those and protect us from their own -- from their  
13 pollution.

14 On top of that, none of the -- the proposed OCS 149  
15 and the current responses to -- or the current planning to  
16 respond to oil spills does not fully consider the human or  
17 socioeconomic impacts and repercussions of a spill. The social  
18 research after the Exxon Valdez clearly demonstrates that there  
19 are extreme stress impacts from technological disasters on  
20 natural resource dependent communities.

21 Those -- the kinds of things that undermine people's  
22 connection with where they are, their sense of place, their  
23 sense of home, their sense of community, their ability to trust  
24 their neighbors, their ability to understand how different  
25 people are going to respond under a situation of stress, and



1 the opportunistic situation that happened in the Exxon Valdez  
2 when there was a lot of money available for a few people, and  
3 it didn't -- certainly didn't go throughout the community.

4 There's a sense of apathy that -- apparent sense of  
5 apathy, but it's more a sense of cynicism in our community  
6 because we have not been treated with the respect and dignity  
7 that we deserved in 1989 and we continue to -- that continues  
8 not to be the case today. The National Science Foundation  
9 makes it very clear that no -- none -- no more oil lease sales  
10 in the Outer Continental Shelf should go forward without a  
11 clear understanding of these socioeconomic impacts, as well as  
12 the biological impacts, which we have very little understanding  
13 of those in Alaska.

14 And we, as a smaller population, are taking the  
15 largest hit in the Outer Continental Shelf nationwide because  
16 we have fewer population to oppose and less representation in  
17 Congress. But it doesn't mean that it's any better to do it  
18 here than off the coast of California or Oregon or Maine or  
19 Maryland.

20 I can go on and on about why OCS 149 is a bad idea  
21 for Kodiak. We have the potential and have been in the top  
22 first or second ports in this country, in the top ten ports in  
23 the world in terms of fisheries landings, in the value of our  
24 resources, in the value of -- and the investment that goes into  
25 those resour- -- to harvesting those resources. Oil spills put

1 all of that at risk.

2 It's a long-term resources benefit versus a short-  
3 term gain for the oil industry, and there's no benefit for this  
4 community or for the nation. And I respectfully request that  
5 we do not go forward with OCS 149. Thank you.

6 MR. BROCK: Thank you, Kristin.

7 (Applause)

8 MR. BROCK: Jane Eisemann.

9 MS. EISEMANN: Eisemann (pronounced correctly).

10 MR. BROCK: Eisemann?

11 MS. EISEMANN: Mm hmm (affirmative).

12 **PUBLIC TESTIMONY OF MS. JANE EISEMANN**

13 My name is Jane Eisemann.

14 MR. BROCK: How do you spell that?

15 BY MS. EISEMANN (Resuming):

16 J-a-n-e E-i-s-e-m-a-n-n, P.O. Box 192, Kodiak,  
17 Alaska 99615.

18 I'm here this evening representing Kodiak High School  
19 fisheries science students. I'll be reading a few letters;  
20 they were either unable to attend or are uncomfortable speaking  
21 in public. So I'll be representing them.

22 **Written Testimony of Mr. Matt Lohr (ph):**

23 "Good evening. My name is Matt Lohr (ph),  
24 and I am a student at Kodiak High School. I  
25 spent last summer gillnetting in Larsen Bay, and

1 next summer I plan to seine around Kodiak  
2 Island. I also plan to fish Kodiak waters for  
3 salmon in the summer for as long as there are  
4 fish to catch.

5 "With the possible Lease Sale 149, the  
6 chances for another oil spill are increased. I  
7 don't want to spend another summer cleaning up  
8 oil that was spilled by greedy people trying to  
9 make money. I think this lease sale will only  
10 cause problems between fishermen and the oil  
11 industry.

12 "Thank you."

13 Written Testimony of Mr. Chris Arndt

14 "Hello. My name is Chris Arndt, and I have  
15 fished dungeness crab for three years and hali-  
16 but for two and am currently fishing salmon in  
17 the summer. I am planning to fish salmon around  
18 Kodiak for many years to come.

19 "Lease Sale 149 could, and has a 72-percent  
20 chance of changing mine and many other careers  
21 in the summer. If there is an oil spill around  
22 Kodiak, it will affect the whole island.  
23 Because Kodiak is based on the fishing industry,  
24 without fishing, Kodiak is nothing.

25 "An oil spill could really ruin things for

1 Kodiak, so I am 100-percent against Lease Oil  
2 Sale 149.

3 "Sincerely, Chris Arndt."

4 And this letter is submitted by Jeremy Votz (ph):

5 Written Testimony of Mr. Jeremy Votz (ph)

6 "I am a fisherman and depend on Kodiak  
7 Island's natural fishing resources to earn  
8 money. I have crewed for my father's boat since  
9 I was six and am planning to go out salmon fish-  
10 ing again this summer.

11 "The Exxon Valdez oil spill had many bad  
12 effects on my family when it closed salmon fish-  
13 ing down around the island, which, up to this  
14 date, we are still paying for. Even more impor-  
15 tant than my family's well-being is the fishing  
16 industry as a whole and the environment.

17 "If Lease Sale 149 goes through, it puts  
18 all that I have mentioned in jeopardy of  
19 destruction. With the high-risk factor of an  
20 oil spill at 72 percent, ocean currents that  
21 would carry the oil down to Kodiak Island, it  
22 would have a very destructive effect."

23 "Closing another salmon season and killing  
24 thousands of animals is not my idea of a great  
25 plan, and with all the pollution already on the

1 earth, we do not need any more. We need to cut  
2 down, and by starting with not letting the lease  
3 sale go through, we would be off to a good  
4 start.

5 "Letting a large oil company, that in the  
6 most likelihood is corrupt, into a pristine  
7 wilderness should not even be a choice. And  
8 definitely not a choice of someone that does not  
9 have any stake into the land except to make  
10 money.

11 "Sincerely, Jeremy Votz (ph)."

12 Written Testimony of Mr. Mark Voitell (ph)

13 "Hi. My name is Mark Voitell (ph), and I  
14 would like to make a few points.

15 "I think that you people shouldn't lease  
16 Cook Inlet because you will be killing lots of  
17 animals on Kodiak Island. My brother and my  
18 uncles are skippers on the Pursuit and the  
19 Provider, which were the first two scallopers  
20 here in Kodiak.

21 "If the oil companies tend to transport oil  
22 by a pipeline or oil tankers, Kodiak is bound to  
23 get hit by an oil spill, which will hurt  
24 Kodiak's wildlife tremendously and might even  
25 get rid of our salmon fishing industry as well

1 as other fisheries. Kodiak cannot go through  
2 the like of the Exxon spill again. That spill  
3 already killed many sea otters, as well as many  
4 birds, some sea lions, and some seals.

5 "We had many cleanup crews on Kodiak to get  
6 rid of the oil, but if the tankers come to Cook  
7 Inlet, this could be an ongoing thing that has  
8 to be stopped. Just look at all the arguments  
9 and fights between community members, not to  
10 mention all the oil that was spilled, too.

11 "This part of Cook Inlet and the Shelikof  
12 Strait cannot be sold to some oil company  
13 because Kodiak will have a large chance of  
14 having another oil spill. Take a look at all  
15 the money that was spent trying to clean the  
16 Exxon mess up. The people of the oil industry  
17 cannot buy Cook Inlet, for it will kill all of  
18 the animals and the plant life on Kodiak Island.

19 "Respectfully, Mark Weitell (ph)."

20 And this one's submitted by Aaron Star (ph):

21 Written Testimony of Mr. Aaron Star (ph)

22 "I have lived in Kodiak for almost seven or  
23 eight years now, and as far as selling the Cook  
24 Inlet waters to an oil company goes, I don't  
25 think that it's worth the risk of another chance

1 of an oil spill. The last one screwed every-  
2 thing up bad enough.

3 "Look at all the birds and animals it  
4 killed, all the fights and arguments it caused,  
5 all the time and money that was wasted. We  
6 don't need to build all that stuff out there  
7 anyway. Just leave things like they are now,  
8 and give the other resources a chance to balance  
9 again.

10 "Sincerely, Aaron Star (ph)."

11 And I'd like to close with a poem that was one of my  
12 students' way of making a testimony. And this is submitted by  
13 Jodi Holfort (ph). It's called "My Plea":

14 Written Testimony of Ms. Jodi Holfort

15 "I remember that day when nature went astray  
16 The island awoke, the awakening rude,  
17 Death and destruction brought by the crude.  
18 The birds, they just fell,  
19 The wings stopped their beat.  
20 They would nevermore walk on two feet.  
21 The fish, they felt, too, the pain,  
22 Nothing to save them, not even the rain.  
23 Not just the birds, not just the fish,  
24 The entire island threw up their wish.  
25 It happened before; it'll happen again.

1 All I've asked is where to begin.  
2 This is it; my beginning is here.  
3 And so I face you, void of fear.  
4 Save my island,  
5 Save it, please.  
6 Don't let it pass into the breeze.  
7 Stop the chance where it will start.  
8 I want no more bleeding inside my heart."

9 And that was submitted by Jodi Holfort (ph).

10 Thank you for your time.

11 MR. BROCK: Thank you.

12 (Applause)

13 MR. BROCK: Brian Johnson. I can't read that.

14 (Laughter, simultaneous speech)

15 MR. BROCK: Forgive me if I don't pronounce your name  
16 right.

17 MR. JOHNSON: That's okay.

18 **PUBLIC TESTIMONY OF MR. BRIAN JOHNSON**

19 My name is Brian Johnson, B-r-i-a-n J-o-h-n-s-o-n,  
20 Box 2661, Kodiak. I think the high school kids said it all.

21 But I'm a commercial fisherman; I'm a salmon fisher-  
22 man. And I've been working on commercial fishing vessels,  
23 tugboats, and research ships in these waters around Shelikof  
24 since 1978. And let me tell you, the northern Shelikof is not  
25 Trading Bay, guys. It is unbelievable what it can do out



1 there, not only with the currents and the way they run, with  
2 the weather the way it goes, it's a pretty wild place to be  
3 doing any kind of business. It's a place to be avoided a lot  
4 of times in the wintertime.

5 And we all know which way the water goes. And the  
6 high school kids know it real well. Everything that happens  
7 all up and through the Gulf ends up on our beaches. That's why  
8 we have a red cedar all the way from Southeast Alaska that ends  
9 up on our beaches here. With the way the water runs and brings  
10 things in, that's probably why this is such a productive place  
11 fishing-wise, as it also deposits everything else here.

12 And my only experience with the oil industry has been  
13 the Exxon Valdez incident, which everybody knows well. And  
14 also, I spent a couple months working on Foss tugboats running  
15 anchors for a pipeline barge in Trading Bay on the Marathon  
16 Platform, which collapsed once and blew out twice. So I wasn't  
17 so impressed with how that thing went up there.

18 But, you know, there's just -- the reasons could go  
19 on and on and on. Look what happened with the Drift River  
20 situation with the volcanic eruptions. This is an extremely  
21 high volcanic area. We've had Mount Redoubt; we've had Mount  
22 Spurr. We've had times when Mount Augustine was erupting. And  
23 there was one time, I don't -- if it -- they weren't sure it  
24 was going to erupt. I remember a few years ago when they were  
25 concerned about the proximity of the fishing fleets to the

1 area. So not only do you have an extreme weather situation up  
2 there, you have a tremendous amount of volcanic activity up  
3 there going on all the time.

4 And again, everybody's already said that you were  
5 looking at a long-term, you know, investment for a lot of  
6 fishermen. There's -- the economics that can be gained out of  
7 the fisheries could go on and on and on forever. The world  
8 fishery is in a state of crisis right now, and this area in the  
9 northern gulf is one place where they're still hanging on. You  
10 know, we're still trying to hang onto them. And I don't see  
11 the tradeoff for short-term, you know, gains of the oil  
12 research versus the long term of the fishing industries.

13 You have a fledgling tourist industry that's wanting  
14 to develop. You have Katmai National Refuge, and you have --  
15 or the monument. You have the Kodiak Refuge. You have tremen-  
16 dous salmon fisheries up and down this side of the island and  
17 tremendous salmon fisheries down in Chignik as well. And  
18 everything that goes on up there combines and goes shooting  
19 right down those straits.

20 And you can sit on the beaches in Swikshak Lagoon and  
21 that area, and down the line close to where the southern end of  
22 this lease sale is, and in the springtime you'll see just bears  
23 down there on the beach digging clams. You know, that's what  
24 they eat. So, you know, there's a tremendous amount of wild-  
25 life which people are starting to, you know, use as a tourism

1     thing as well.

2             And I don't -- you know, just this -- for the sheer  
3     reason of not wanting to sit out there in northern Shelikof and  
4     look across to Cape Douglas on a clear day and see an oil rig  
5     out there. I don't necessarily want to see that. And that in  
6     itself is enough.

7             And -- excuse me. I'm not very well prepared. I had  
8     a couple other things to say.

9             I just want to see some long -- some thinking ahead,  
10    longer than 15- or 20-year potential with oil rigs and oil  
11    wells. And what -- it was stated earlier we were the number  
12    one fishing port in this country for a while, and we want to  
13    build our fish stocks so we can be that again. And I don't  
14    see, in this situation, where it's going to be a real compat-  
15    ible thing 'cause the potential for disaster is there.

16            I've been on boats all my life, and I know things go  
17    wrong. You know, the best intentions can always go wrong.  
18    I've seen it many, many times. And we can't afford to have  
19    another accident like we had years ago, or increase that chance  
20    of something.

21            And I really hope you reconsider what's going on  
22    there because, again, lower Cook Inlet isn't Trading Bay. That  
23    place is really sheltered to what you're looking at down here.  
24    I mean, just take a few boat rides in the wintertime across  
25    that area, and it's enough to make a believer out of you. And

1 I really don't want to see oil rigs sitting out there. Thank  
2 you.

3 MR. BROCK: Thank you.

4 (Applause)

5 MR. BROCK: Debra. I'm not even going to try the  
6 last name (laugh).

7 **PUBLIC TESTIMONY OF MS. DEBRA NIELSEN**

8 My name's Debra Nielsen, D-e-b-r-a N-i-e-l-s-e-n,  
9 Box 8381, Kodiak.

10 I know, you know, all of us use fuel; all of the  
11 fishing industry uses fuel. And somebody said to me before I  
12 came to the meeting today, 'You don't have any right to oppose  
13 this unless you're not going to use fossil fuels.' And I'm --  
14 am sympathetic because we do consume so much fuel, and I know  
15 we have to get it somewhere, and no one wants it to happen  
16 where there might be an adverse impact to them or to their  
17 community.

18 I think what Brian said is probably the clearest  
19 argument against this particular sale that I can think of, and  
20 that's the location of it. It's just the roughest water you  
21 could pick. It isn't something that we can guarantee will be  
22 safe. Nature does more damage in this area than we can even  
23 believe sometimes. I mean, you know, I've crabbed over there  
24 in the winter, and most of us have been over there even in the  
25 summer in blows. What -- you can't predict that everything

1 will go well.

2 And I have first-hand knowledge, and a lot of us do,  
3 of the ineptitude of the techniques we have right now available  
4 to us to clean up a spill. So for those reasons, I'm opposed  
5 to the sale. And thank you.

6 MR. BROCK: Thank you.

7 (Applause)

8 MR. BROCK: Mary Forbes?

9 MALE SPEAKER FROM THE AUDIENCE: She's gone.

10 MR. BROCK: She's gone. Okay. Brian -- Brian.

11 MR. JOHNSON: Do I get to go again?

12 (Laughter)

13 MR. LARGE: I'm Brian Large.

14 MR. BROCK: Large.

15 MR. LARGE: 1710 Samantof (ph), Kodiak, Alaska.

16 MR. BROCK: L-a-r-g-e?

17 MR. LARGE: Yeah.

18 **PUBLIC TESTIMONY OF MR. BRIAN LARGE**

19 Hi. I'm Brian Large. I was born in Kodiak, Alaska,  
20 and I've lived here all my life. I'm 15 years of age, and I go  
21 to Kodiak High School. In the summer I fish for salmon on the  
22 Fishing Vessel Karen K.

23 I remember the Exxon Valdez tanker spilling millions  
24 of barrels of North Slope crude oil into the Prince William  
25 Sound nearly six years ago. The current pushed the oil our

1 way, covering Kodiak's beaches and killing millions of animals.  
2 The salmon season had to be closed down. Some people got paid  
3 off -- (clearing throat) excuse me -- but others didn't. Some  
4 friendships were lost, and that day changed the future for many  
5 Alaskans.

6 The Lease Sale 149 will give Alaskans 72-percent  
7 probability of another major oil spill. I don't think Kodiak  
8 could take another disastrous oil spill. We have suffered  
9 enough. Do not let Lease Sale 149 happen. Thank you.

10 MR. BROCK: Thank you.

11 (Applause)

12 MR. BROCK: Mmm. S-t-e-e-d-e-b-u-l-c-e-r?

13 (Laughter)

14 MR. BROCK: I'm not trying to criticize your writing.

15 MS. STUDEBAKER: Is my writing really that bad  
16 (laugh)?

17 MR. BROCK: No, no, I just -- it's my glasses need  
18 adjusting.

19 **PUBLIC TESTIMONY OF MS. STACY STUDEBAKER**

20 Okay. The first name is Stacy, S-t-a-c-y, and the  
21 second name is Studebaker, S-t-u-d-e-b-a-k-e-r. Post Office  
22 Box 970, Kodiak 99615.

23 And I'm speaking as a local resident first. I am  
24 opposed to the Oil Lease Sale 149. The Exxon Valdez oil spill  
25 devastated this community in 1989, and we're still suffering

1 the effects. And we just can't take any other chances for  
2 future oil spills here.

3 I'm also a member of the Kodiak State Parks Community  
4 Advisory Board. And we've written a couple of letters on past  
5 oil lease sales regarding the vulnerability of Shuyak Island  
6 State Park, a new area that's a premiere state -- ocean state  
7 park with wildlife and archeol- -- many archeological sites.  
8 And it was hammered in 1989 by the Exxon Valdez oil and is  
9 still rebounding and recovering from that. Not only the wild-  
10 life, but also the archeological sites there were just really  
11 messed up from the oil -- not only the oil, but from the oil  
12 spill cleanup crews.

13 So I just want to make it short. Our natural  
14 resources here are far too precious and vulnerable to risk  
15 another oil spill. Thank you.

16 MR. BROCK: Thank you.

17 (Applause)

18 MR. BROCK: Mike.

19 FEMALE SPEAKER FROM THE AUDIENCE: He's not even  
20 trying.

21 (Laughter)

22 MALE SPEAKER FROM THE AUDIENCE: Doesn't even give it  
23 a try.

24 (Laughter)

25 MR. BROCK: I don't want to goof it up like I did the

1 last one.

2 MR. SIROFCHUCK: I've learned that when I hear Mike  
3 and a pause, that's me.

4 **PUBLIC TESTIMONY OF MR. MIKE SIROFCHUCK**

5 My name is Mike Sirofchuck, and that's spelled  
6 S-i-r-o-f-c-h-u-c-k. I live at Box 970, Kodiak. And I'm here  
7 tonight as a local resident to oppose the Cook Inlet Federal  
8 Lease Sale 149. Some of the things I'll mention have already  
9 been mentioned this evening, but I think they're important  
10 enough to be reinforced.

11 There was mention that four oil companies operating  
12 platforms in Cook Inlet have committed over 4,200 violations of  
13 the Federal Clean Water Act. I think as we listen to the news  
14 every evening on CNN or NPR and we hear that our Congress is  
15 becoming more and more anti-regulatory -- we're talking about  
16 amendments proposed by Alaska Senators to freeze federal regu-  
17 lations -- this is not the time to be building oil platforms in  
18 a dangerous place like Cook Inlet.

19 If anything, these oil platforms need tight, strict  
20 regulations. They need close enforcement; they need to be  
21 watched very closely, and they need to be regulated and moni-  
22 tored very closely. And the mood of the government now seems  
23 to be moving away from that, and I think that's too dangerous a  
24 situation to take the chance.

25 I'm a high school teacher here, and I've been teach-



1 ing here since 1987. And I saw some effects of the oil spill  
2 that probably we don't hear much about because they're sort of  
3 hard to quantify. But you see what happens to kids when you  
4 see what happens when their families can't work over the  
5 summer. Or sometimes they feel as if they've prostituted  
6 themselves because they have to work for Exxon in an oil spill  
7 cleanup in order to make the money they would have made fishing  
8 that they weren't able to do.

9 There's a social cost; there's a psychological cost.  
10 And we're still feeling the effects of that now. There's a  
11 mental health cost. And I feel that nothing that this oil  
12 lease sale could generate could offset taking the -- you know,  
13 we can't take the chance of this sort of thing happening again.

14 We're talking now -- our Governor's talking about  
15 wanting to export Alaska oil. It seems to me if we have enough  
16 oil that we can be exporting it to other countries, we don't  
17 really need to be going out and drilling more at this time.  
18 Let's leave it there. That's money in the bank. There's no  
19 sense going out for it when we don't really need to.

20 So basically, I just want to say that it's unaccept-  
21 able to go ahead with these oil leases. I think our best thing  
22 to do, and the best thing for our community, is to make sure  
23 there'll be no oil spills, at least from this area, and that is  
24 not to allow drilling in the Cook Inlet. Thank you.

25 MR. BROCK: Thank you.

1 (Applause)

2 MR. BROCK: Rita (sic) Allan? No, apparently, that's  
3 not the right first name.

4 (Laughter)

5 MR. BROCK: Is it Pete?

6 (Inaudible response, laughter)

7 MR. BROCK: Okay. That was my other guess (laugh).

8 **PUBLIC TESTIMONY OF MR. PETER ALLAN**

9 Good evening. My name is Peter Allan. It's Peter,  
10 P-e-t-e-r, A-l-l-a-n, P.O. Box 2160, 2-1-6-0, Kodiak. I'm  
11 mostly here just to get myself on record and echo the other  
12 comments. I'm not real well informed; I haven't read EIS. I  
13 glanced at it briefly, but I'm a busy guy and that's a big  
14 document. So on behalf of all the other shy, not terribly well  
15 informed people that may not get up here, I want to, you know,  
16 represent them maybe.

17 But a couple things I'd like to say is that, you  
18 know, the EIS says that spills are likely out there. Then as  
19 people have told you, you can't clean them up, and I think the  
20 EIS acknowledges that you can't clean them up. The only way  
21 that they'll get cleaned up, to some degree, is when they hit  
22 the beaches, and that's a poor way of doing business.

23 But, you know, I'm sure that you guys know how these  
24 skimmers and stuff work in more than about eight-inch seas,  
25 which you get about a few hours a year in this drilling area --

1 not many, you know. Not much -- not even two days a year  
2 probably. So you can't clean them up, and you know that going  
3 in, and you know that you're likely to have spills going in.  
4 So what are we talking about? We're talking about death.  
5 About death.

6 We're talking about sea lions. You're drilling right  
7 next to the Barren Islands that were decimated in 1989. The  
8 murre population was -- I forget how many thousands and thou-  
9 sands and thousands of birds were killed there and collected  
10 there out of the Barrens, a major rookery area. And they  
11 haven't recovered. And who knows if they ever will?

12 Sea lions are a big problem. I'm a fisherman, and  
13 I've got my own small boat here and fish here, as do most  
14 folks -- a lot of folks in this town. It's the backbone of  
15 this town. Sea lions are right now on the threatened species  
16 list, and they're bordering on endangered. Any stress and  
17 strain on them could lower the populations to the level where  
18 they are classified as endangered species, which would have the  
19 effect of probably shutting down large portions of all the  
20 fisheries in the Gulf of Alaska. It would shut down me. It  
21 would shut down the draggers. It would shut down a lot of  
22 people, not just around Kodiak but all over the place, if they  
23 get endangered.

24 And most of the fishermen and the fishing industry  
25 has been very conscious of that for a number of years and is

1 trying to be very conscientious in their fishing practices to  
2 avoid this problem. And a good oil spill might precipitate  
3 it -- boom -- and all the years we've been doing this, you  
4 know, trying to avoid this problem, is gone. So I want to make  
5 that point. It's real important.

6 I want to get a little bit personal now about corpo-  
7 rate responsibility in the big oil business. I -- you know,  
8 other people have touched on other things, but Exxon put out a  
9 lot of money in a smoke and mirrors cleanup operation and  
10 mitigation to fishermen and impacted people. But they haven't  
11 made me whole. That was the phrase that was going around in  
12 1989. Exxon, 'Oh, we're going to make you whole. We're going  
13 to make you whole.' I don't feel that I have been compensated  
14 for lost opportunity in 1989, and the effects of the 1989 spill  
15 have rippled on down through the years in the salmon fishery,  
16 and they're still impacting me.

17 I basically sat around in 1989 and twiddled my thumbs  
18 because I couldn't go fishing, and Exxon didn't deem me to be a  
19 worthy candidate to go clean up. So I'm still being impacted  
20 by the inequities of the way the cleanup hiring situation was  
21 run, in other words. Our fleet makeup was totally changed by  
22 the haves and the have-nots. Bus-billionaires (sic) is what we  
23 called them. All of a sudden, maybe 20 percent of the people  
24 in the fleet that I fish in went out and bought big new boats,  
25 big new gear, fancy rigs. It's hard to compete with them.

1 They're the haves; I'm a have-not.

2 So I'm not too impressed by Exxon's corporate  
3 responsibility. I have not been made whole. They have not  
4 mitigated. They did a big PR campaign, and I guess the media  
5 bought into it, and the people down in the Lower 48 have. I'm  
6 real sad about that.

7 I guess that's all I've got to say. Thanks.

8 MR. BROCK: Could I ask one question? I failed to --  
9 I didn't see the tie-in, and maybe I just missed a point, but  
10 when you said that the -- if an oil spill came along and low-  
11 ered the sea lion population, that would shut down the fishery.  
12 I was wondering why would -- if it was a proven fact that the  
13 oil spill lowered the sea lions, why would that shut down the  
14 fishery? I.....

15 MR. ALLAN: Well, because they will go on the endan-  
16 gered species list. And anything, when things are on the  
17 endangered species list....

18 MR. BROCK: Oh, I see your tie-in. Okay.

19 MR. ALLAN: .....anything can -- any possible things  
20 that can impact it -- in other words, the oil can cause it, but  
21 anybody else.....

22 MR. BROCK: Okay. I.....

23 MR. ALLAN: .....is going to be affected by it.

24 MR. BROCK: .....missed that, and I was.....

25 MR. ALLAN: Okay.

1 MR. BROCK: Okay. Thank you.

2 (Applause)

3 MR. BROCK: That's all we have registered. Is there  
4 anybody else that would like to testify?

5 MR. ROBERTS: I've got another sign-up

6 MR. BROCK: Oh, I'm sorry, Dick. Is there any --  
7 while he's bringing that up, is there somebody -- are you on  
8 the list?

9 MS. COBIS: No, I'm not.

10 MR. BROCK: Okay. Well, come ahead, and while he's  
11 bring the list up, we'll.....

12 **PUBLIC TESTIMONY OF MS. ROSE COBIS**

13 My name is Rose Cobis, R-o-s-e C-o-b-i-s, Box 2875,  
14 Kodiak, Alaska.

15 I am not a fishing person, but I feel that my husband  
16 and my income and life in Kodiak, and everyone else in this  
17 community, is directly dependent on the fishing industry. And  
18 because of that, I'm a bit surprised that half the town is not  
19 here to testify against this oil lease.

20 And I would just like to go on record to say that we  
21 need to be a little bit more cautious about these things and to  
22 encourage anyone who hasn't made how they feel known in this  
23 community, to write letters, or to get busy because, really,  
24 there should be more people here. Thank you.

25 MR. BROCK: Thank you.

1 (Applause)

2 MR. BROCK: Mary Jacobs?

3 **PUBLIC TESTIMONY OF MS. MARY JACOBS**

4 Hello. My name is Mary Jacobs, M-a-r-y J-a-c-o-b-s,  
5 Box 3080. And I apologize for not being better prepared, but I  
6 want to speak out against this lease sale.

7 And I'm -- I've been a fisherman around Kodiak Island  
8 since 1971. I've had my own boat since 1979. And I'm very  
9 familiar with these waters; they're treacherous waters. The  
10 currents regularly go between three and five knots, and there's  
11 williwaws that come down off the mainland that -- when it can  
12 be flat calm, and the rest of the island, it can be blowing  
13 there 60, 70 miles an hour. And I just don't think it's a safe  
14 place to put an oil rig.

15 I don't think -- it'd be very unlikely that there  
16 would be days when there can be an initial response in this  
17 area. You know, you can have an initial response in Prince  
18 William Sound; it's a lake compared to this, or in upper Cook  
19 Inlet. And that, I think, in this kind of situation, I think  
20 the oil would be free to go wherever it would want to go and  
21 impact the beaches.

22 And I'm sure some would dissipate because of the  
23 weather, but we'd still -- you know, there's no place to -- it  
24 would be dangerous. And that's -- you know, when you're look-  
25 ing at oil response, they -- if it's dangerous, they don't send

1 people out there, and it -- this would be a dangerous place to  
2 have any -- to have people out there trying to clean up things  
3 as it came off of a rig or off of a tanker that was getting  
4 loaded out there.

5 But, you know, I -- every -- I agree with everything  
6 that's been said here. A lot has been said. I'm going to try  
7 to cover a couple other things.

8 But I've been participating in -- on a committee with  
9 Cook Inlet RCAC for the past almost five years. And from the  
10 time I got on, we recommended a tug to be an escort tug in Cook  
11 Inlet, and there still is no escort tug. Cook Inlet is still  
12 the only place in the western world where a tanker is routinely  
13 docked and undocked without tug assist. And this is the one  
14 thing that everybody that's looked into this feels like it's  
15 important, is that, Are the oil companies showing good faith if  
16 they continue fighting having a tug in Cook Inlet? And this is  
17 a continuation of that.

18 I just don't see -- I just can't see opening up  
19 leasing to companies that have, over and over, shown bad faith.  
20 And, you know, that gets to the Exxon Valdez, which you can see  
21 we still have some serious feelings about. 1989 was the only  
22 year in 10 years I haven't -- I didn't own a boat. And, you  
23 know, so I wasn't -- didn't have something to have out there to  
24 be leased. I didn't have a permit that was going to be active  
25 to get a big claim. And -- but I have a long-term investment



1 in this fishery. You know, and it's not like everybody that's  
2 fishing, if there's an oil spill, can go oil spill cleaning and  
3 have a tradeoff that way. They don't take -- it doesn't take  
4 the place, you know.

5 I got back into the fisheries, you know, the -- and  
6 thinking that things would be pretty much like they were. But  
7 there's been a real perception problem with the fisheries in  
8 this area, you know, this area, Prince William Sound and Cook  
9 Inlet, since the spill. You know, whereas I had the same crew  
10 for years before that, the crews went on to other things.  
11 There's better things to do now than fishing in Alaska. The  
12 prices are down.

13 The Ikolik River, which is one of the biggest red  
14 runs on Kodiak Island, has -- had over-escapement the year of  
15 the oil spill, and it essentially wasn't opened last year, and  
16 it won't be opened this year, and because of the reduced runs  
17 and the reduced prices. Whether or not the Exxon Valdez is at  
18 fault for all of that, it's part of it, and the perception of  
19 fishing is just starting to recover. And it's starting to look  
20 a little bit better for the future, but there was some real  
21 damage done.

22 And right now, I'm struggling to keep a boat that --  
23 and while Exxon fights paying off the lawsuit that -- you know,  
24 and I imagine it's going to be 10 years. There's going to be a  
25 bunch of us that were involved in the fishery in 1987, '88,

1 '89, and '90 that won't be around when those payments finally  
2 come out. And that does not show me good faith.

3 And let's see. The hatcheries here on Kodiak Island,  
4 the hatchery, doesn't have boom. We don't have any protective  
5 boom on Kodiak Island. You know, well, we have some, but we  
6 don't have any amount. If there's a spill in Prince William  
7 Sound, the boats that are signed up with Alyeska will get  
8 called to Prince William Sound to respond there, and it doesn't  
9 leave boats to protect the Kodiak Island waters.

10 You know, I don't feel like we're any better prepared  
11 for dealing with an oil spill now than we were in 1989. Prince  
12 William Sound is better prepared; they've got, you know, a  
13 world class response system there. But it's all for responding  
14 in the Sound, and we're down current. And we've been, you  
15 know, telling them we need some protection. You know, we need  
16 something. We need -- you know, we've got areas that are  
17 sensitive here, and we know the oil's going to come here, and  
18 we haven't got so much as boom to put across in front of our  
19 hatchery.

20 So anyway, I say I see bad faith, and I don't see  
21 that these corporate citizens deserve to be allowed a chance to  
22 lease these waters. Thank you.

23 MR. BROCK: Thank you.

24 (Applause)

25 MR. BROCK: Bruce Short.

(Pause)

**PUBLIC TESTIMONY OF MR. BRUCE SHORT**

My name's Bruce Short. My last name's spelled S-h-o-r-t. My address is Box 4 in Kodiak.

I'm a lifelong Kodiak resident, and it just seems to me that this is a very high-risk venture in a very resource-rich area with terrible weather conditions. I live on the beach in a protected bay, and in the last oil spill, there was a little bit of oil that made it into my beach, but I feel with the greater potential, more development, the chances of having greater and greater impacts are becoming a greater reality.

So I just want to oppose this lease proposal. Thank you.

MR. BROCK: Thank you.

(Applause)

MR. BROCK: Linda Freed.

**PUBLIC TESTIMONY OF MS. LINDA FREED**

Thank you. My name's Linda Freed. It's spelled L-i-n-d-a F-r-e-e-d. I'm the Community Development Director for the Kodiak Island Borough.

I'm here tonight to remind you of the Kodiak Island Borough's official position on Lease Sale 149. The two documents I'm going to reference, you already have copies of. This will provide you with the current policy perspective of the Kodiak Island Borough Assembly as they've adopted in their

1 resolutions and the documents I'm about to refer to.

2 The Kodiak Island Borough staff will be reviewing the  
3 EIS and will present more detailed written comments to you  
4 based on these resolutions and how they relate to the informa-  
5 tion we see in the EIS. In addition, we will be looking at the  
6 EIS for perhaps inaccuracies and items that have been over-  
7 looked as part of the direct environmental review and the  
8 information provided about our community in that document.

9 The first resolution that I'd like to refer to is  
10 Resolution 91-49, and it was a resolution of the Kodiak Island  
11 Borough Assembly commenting on the Request for Interest and  
12 Comments for Proposed Oil and Gas Lease Sale 149. And I guess  
13 before I read this resolution, the reason that these resolu-  
14 tions are the policy bases for the Kodiak Island Borough's  
15 position is because the Kodiak Island Borough Assembly has not  
16 taken any subsequent action to this date.

17 "Whereas, on September 3rd, 1991, the  
18 Kodiak Island Borough received Notice from the  
19 Minerals Management Service of a Request for  
20 Interest and Comments for Proposed Oil and Gas  
21 Lease Sale 149, Cook Inlet and upper Shelikof  
22 Strait,

23 "And whereas, the Kodiak Island Borough has  
24 gone on record as opposing oil exploration in  
25 the Cook Inlet planning area in general and in

1           Shelikof Strait specifically for the last 12  
2           years,

3           "And whereas, the Kodiak Island Borough and  
4           its residents are still recovering from the  
5           negative effects of the Exxon Valdez oil spill,

6           "And whereas, the Federal OCS National Gas  
7           and Oil Resource Management Comprehensive Plan  
8           of 1992 through 1997, which establishes Lease  
9           Sale 149, has not even been adopted yet,

10          "And whereas, the Kodiak Island Borough has  
11          urged that oil and gas leasing and exploration  
12          not take place in the Cook Inlet planning area  
13          until the long-term impacts of the Exxon Valdez  
14          oil spill have been established,

15          "And whereas, the Kodiak Island Borough is  
16          additionally concerned about the potential toxic  
17          effects of drilling muds used by the oil  
18          industry on the resource-rich habitat in the  
19          Cook Inlet planning area,

20          "Now, therefore be it resolved by the  
21          Assembly of the Kodiak Island Borough that, the  
22          Kodiak Island Borough supports delay of Lease  
23          Sale 149 until:

24          "(1) the long-term impacts of the Exxon  
25          Valdez oil spill are established and can be used

1 as a basis for implementing mitigation methods  
2 to protect existing coastal resources,

3 "(2) regulations are implemented that will  
4 protect coastal habitats from toxic drilling  
5 muds used by the oil industry,

6 "(3) regulations are implemented that will  
7 allow for the reduction or elimination of gear  
8 conflicts between the oil industry and the fish-  
9 ing industry; for example, seasonal drilling  
10 restrictions, and

11 "(4) the oil industry proves that it is  
12 capable of and willing to clean up the projected  
13 maximum oil spill that could occur during oil  
14 and gas exploration."

15 The second document that I'll refer to, and I believe  
16 this was also brought to your attention at the Kenai public  
17 hearing by Mayor Don Gilman, is the Tri-Borough Position Paper  
18 on this lease sale. This particular position paper was put  
19 together with three boroughs that are in the spill-impacted  
20 area, that is, the Kenai Peninsula Borough, the Kodiak Island  
21 Borough, and the Lakin (ph) Peninsula Borough.

22 This position paper identifies five critical issues  
23 that the boroughs believed must be addressed in the lease  
24 sale's EIS. And that's why I said we will go back to this  
25 document and review the EIS in light of this position paper.

1 And if those five issues are not addressed in the lease sale  
2 review process, the boroughs have stated that they have grave  
3 reservations about supporting the lease sale. And I will  
4 briefly identify what those five items are:

5 One, the belief is there should be no offhshore  
6 loading of tankers should the sale go ahead.

7 Two, specific plans to minimize and avoid commercial  
8 fishing gear conflicts with exploration and development of oil.  
9 And that item was referenced in the previous resolution.

10 The oil exploration companies must have adequate  
11 spill prevention and response capability. And you've heard  
12 concern about how that capability might be addressed within an  
13 area that has very severe weather conditions.

14 Fourth, identification of critical habitat areas.  
15 And we would add that those areas need to be mapped and clearly  
16 identified in a central computer mapping system so that if  
17 there is a spill, they can be responded to and those identi- --  
18 those areas protected to the extent possible.

19 And fifth, provision for local government revenue-  
20 sharing. As was mentioned earlier, in this particular lease  
21 sale, Kodiak would see no economic benefits as a result of the  
22 sale unless there is some provision for revenue-sharing as a  
23 result of the sale. And so the local governments believe  
24 that's a crucial aspect of -- that should be in place prior to  
25 the lease sale going forward so that those who potentially

1 experience risk as a result of a lease sale are those that may  
2 actually see some gain or some benefit as a result of the sale  
3 as well.

4 Thank you.

5 MR. BROCK: Thank you.

6 (Applause)

7 MR. BROCK: Claire Holland?

8 **PUBLIC TESTIMONY OF MS. CLAIRE HOLLAND**

9 My name is Claire Holland, C-l-a-i-r-e H-o-l-  
10 l-a-n-d. My address is Star Route, Box 3800-B, and that's in  
11 Kodiak. And tonight I'm speaking for myself, and I just have a  
12 couple of quick comments.

13 I think that people of this region and the wildlife  
14 that inhabit both the marine and the upland habitats here rely  
15 completely on a clean and healthy environment. And I don't  
16 believe we have created accident-proof procedures for extract-  
17 ing and transporting oil in a marine environment, any marine  
18 environment and much less one as harsh as the one we live in  
19 here.

20 So I'm here to submit my opposition to Lease Sale 149  
21 for your record. Thanks for being here.

22 MR. BROCK: Thank you.

23 (Applause)

24 MR. BROCK: Dick, do you have any more?

25 MR. ROBERTS: I don't back here.



1 MR. BROCK: Is there anybody else that would like to  
2 testify?

3 (Pause)

4 **PUBLIC TESTIMONY OF MR. OLIVER HOLM**

5 My name is Oliver Holm. That's O-l-i-v-e-r H-o-l-m,  
6 at Box 36 -- 3865, Kodiak.

7 My family makes its livelihood from the waters around  
8 Shelikof Straits, Kodiak Island. Shelikof Straits is an impor-  
9 tant spawning ground for cod, spawning ground for pollock and  
10 herring, and we have salmon and halibut and other fishery  
11 resources here. Kodiak Island is down current from this pro-  
12 posed oil production.

13 I could feel more comfortable with this proposed sale  
14 if the oil industry had made some serious effort to clean up  
15 spills. Since the 1989 spill, responsibility has been limited  
16 to Prince William Sound for the Alyeska carriers even though  
17 it's a proven fact that the oil spilled in the Sound will end  
18 up around Kodiak Island. I ran through many miles of spilled  
19 oil in the west side of Kodiak in 1989, as much as 40 miles in  
20 one trip in mid-May. It was not a very pretty sight.

21 We are still suffering damages from the spill that  
22 has not yet been compensated -- we have not yet been compen-  
23 sated for. We lost most of the 1989 herring year class. We  
24 lost most of our chum returns on the heavily oiled north main-  
25 land area around Hallo Bay. We have suffered a severe reduc-

1 tion on even-year pink production since the spill. These young  
2 pink salmon went to sea in 1989 when the oil was thickest  
3 around Kodiak Island. In addition, we were having a severe  
4 reduction in 1994/'95 sockeye production at Ikolik, Karluk, and  
5 Akalura due to over-escapement in 1989 because we couldn't fish  
6 in waters contaminated with oil.

7 I don't think the EIS or the oil industry can protect  
8 our livelihood from the effects of spilled oil. I think it is  
9 much safer to develop oil resources that are situated on shore.  
10 I am opposed to this sale. Thank you.

11 MR. BROCK: Thank you.

12 (Applause)

13 MR. BROCK: Anyone else?

14 (Pause)

15 **PUBLIC TESTIMONY OF MR. MIKE PATITUCCI**

16 My name is Mike Patitucci. That's P-a-t-i-t-u-c-c-i,  
17 P.O. Box 1511, Kodiak, Alaska.

18 I've been fishing around Kodiak Island now for 19  
19 years, and I love salmon fishing more than anything. In the  
20 year of the oil spill, I didn't get one of these great charters  
21 that the boys that are out there now with the big boats that  
22 I'm competing with. I just sat on the beach and hoped that  
23 there was a chance I could go. And it never happened.

24 I'll just tell you right now, gentlemen, the Shelikof  
25 is the nastiest place you'd ever want to be. It eats you up.

(Laughter)

I mean, I get scared out there where you're talking about selling this lease to when it's flat calm. The tides from Cook Inlet are so big, and they come down and they hit the other tides, they just swirl. I mean, it just looks like -- and when it's blowing, it's like really bad.

I mean, if you have any idea, the -- Sitko 7 (ph) had a test rig out there in 1983. I mean, they had terrible problems. I know they must have because we found one of their big anchor buoys up on Black Cape. It was a brand new beautiful buoy. I mean, it must have been really smokin' to break that baby loose.

I'm just going to tell you, gentlemen, it'd be totally irresponsible to put a rig out there 'cause it's the worst -- it's the -- probably the second worst straits in the world. And that's about all I had to say, gentlemen.

MR. BROCK: Thank you.

(Applause)

**PUBLIC TESTIMONY OF MS. MARIAH OFFER**

My name is Mariah Offer. That's M-a-r-i-a-h O-f-f-e-r, P.O. Box 2264, Kodiak. I'm here tonight representing myself as a citizen. I didn't come all that prepared, but I have a few things that I'd like to say.

I left the island a couple years ago not long after the Exxon Valdez oil spill and only recently returned. A lot

1 of the reasons why I left the island were due to the oil spill.  
2 For some of the reasons that Mary Jacobs gave, where it's  
3 harder for crew members to make a living since the spill for a  
4 lot of different reasons. But I came back to Kodiak because I  
5 love the island, and I love the people, and I love the wild-  
6 life.

7 I'd just like to say a little bit about the merchant  
8 marine industry, especially as it relates to the oil industry.  
9 I've been working in tugboats the last couple of years, and I  
10 think we've all seen some increase in regulations as it regards  
11 to vessels. The Coast Guard has made some new regulations.  
12 But there's also a lot of other factors that are involved.

13 And one is the way that the companies operate on the  
14 profit motive. We saw this in '89 during the oil spill, and I  
15 don't think things have really changed. Another thing is the  
16 way contracts are handed out.

17 About a year or two ago, there was an incident in  
18 Cook Inlet with a company that we call "Brand X." One of the  
19 companies maybe that underbid one of the more experienced  
20 tugboat outfits around. Like Brian said, Foss is real experi-  
21 enced in Cook Inlet. They underbid one of the companies that  
22 are familiar and equipped to deal with waters in Alaska, crew  
23 members that have worked in Alaskan waters, know about the  
24 cold, know about the ice. A company from a more warmer area  
25 that doesn't have ice got the contract.

1           And the mate who was on duty, who was on watch at the  
2 time, left the wheel, and the tug -- the supply vessel that I'm  
3 referring to drifted into an oil rig, hit one of the legs of  
4 the oil rig in Cook Inlet, and almost hit the drill pipe. This  
5 would have caused a serious accident.

6           So the point I'm making here are (sic) there are  
7 still a lot of things that go on in the industry that go beyond  
8 regulations. Everybody is trying to save money and underbid  
9 each other.

10           So I'm also aware of the conditions, especially in  
11 the winter, as a lot of the more experienced mariners have  
12 talked about. I'd also like to agree with everything they've  
13 said. And I've helped dock barges, fuel barges, in Nikiski.  
14 Twice I had to leave this summer with about two minutes'  
15 notice. We had to take all our lines off and leave just  
16 because of the way the wind shifted and the tide -- incoming  
17 tide caused us to leave. And we had a fuel barge that holds  
18 three million gallons of fuel. So -- and that's in the summer-  
19 time. In the wintertime, there's problems with ice. That has  
20 created a lot of problems with vessels in the area.

21           So I'd just like to say I appreciate your time and  
22 also the time of all the other people that have voiced their  
23 opinions.

24           Thank you.

25           MR. BROCK: Thank you.

1 (Applause)

2 (Pause)

3 **PUBLIC TESTIMONY OF MR. CHUCK McWETHY**

4 I'm Chuck McWethy, M-c-W-e-t-h-y, Box 3504, Kodiak.  
5 And I'm here as a commercial fisherman and somebody trying to  
6 raise a family in this town.

7 I've been -- had my own boat for 12 years, and I fish  
8 a lot in the Shelikof. And you've heard how nasty it gets, and  
9 we're down current of everything that happens in the Cook  
10 Inlet. They flush the toilet, and we get it. And I just  
11 don't -- I don't think, in our position, that that -- that I  
12 oppose this lease sale. It shouldn't be happening.

13 We've talked about what happened at Ikolik. I've  
14 fished salmon quite a few years, and I'm suffering more now  
15 from Exxon in '89 when I didn't fish -- I'm suffering more now,  
16 the last two years when I've fished in Ikolik than I ever did  
17 during that oil spill. We got a little bit out of it, but  
18 we've destroyed a river system. It's going to take -- it could  
19 take 20 or 30 years to bring that system back. And it's really  
20 a special system.

21 And as far as the social impact, it devastated our  
22 family in '89. Just the thought that that threat is hanging  
23 over us, that there's a -- the reason we've got volcanoes out  
24 there in the Shelikof, it's called a subduction zone. You've  
25 got mountains out there, and we've got a plate diving under it.

1 That creates a lot of, lot of earthquakes. And you guys are  
2 familiar with those. You -- I'm sure you gentlemen are from  
3 Alaska.

4 Right along the Shelikof, that line of volcanoes,  
5 they're there because there's a plate diving down, and  
6 that's -- there's two plates converging. If they pipe that oil  
7 to shore, it's going to break. There is going to be an earth-  
8 quake, and it's going to slip on the bottom of the ocean, and  
9 they're going to bust pipes up. And if it don't do that, then  
10 a volcano's going to dump ash on the situation. And it's not a  
11 logical place to be poking holes in the ocean floor.

12 Anything that happens up there we pay for, and we pay  
13 for it dearly, with our hearts and souls. This island's a real  
14 pristine environment, and I really hope that you guys do every-  
15 thing in your power to stop them from drilling out there.  
16 Thank you.

17 MR. BROCK: Thank you.

18 (Applause)

19 MR. BROCK: Anyone else?

20 (Pause)

21 **PUBLIC TESTIMONY OF MS. SUSAN EMERSON**

22 My name is Susan Emerson, S-u-s-a-n E-m-e-r-s-o-n.  
23 And I setnet on the west side of Kodiak Island many years ago,  
24 and I would like to say that I would hate to see any oil ruin  
25 the natural resources of our island. Thank you.

1 MR. BROCK: Thank you.

2 (Applause)

3 MR. BROCK: Yes, sir.

4 (Inaudible comment, laughter)

5 **PUBLIC TESTIMONY OF MR. DANNY STIHL**

6 My name's Danny Stihl. It's S-t-i-h-l. And I repre-  
7 sent myself, hopefully my little family there.

8 I come very unprepared. I do not know the details of  
9 this lease sale. I do not know what's playint (sic). And I  
10 don't think I do need to know because all I need to know is  
11 that there is a risk factor involved, that there is the proba-  
12 bility and possibility of an accident. And I don't think this  
13 island, nor us, deserves to be spoiled a second time.

14 I think Shelikof is the wrong place, and this is not  
15 the time for it. And I think I just would like to leave it  
16 there. As long as there is any risk factor involved, I'm  
17 opposed to this. And I hope you also take note is that, so  
18 far, nobody's been for this proposal. Thank you.

19 MR. BROCK: Thank you.

20 (Applause)

21 MR. BROCK: Anyone else?

22 (Pause)

23 FEMALE SPEAKER FROM THE AUDIENCE: She wants to come,  
24 too.

25 MR. BROCK: Very good. Can we count this as two



1 people?

2 (Laughter)

3 **PUBLIC TESTIMONY OF MS. ISA WIRZ**

4 Okay. I'm the wife of the man who just talked.  
5 Well, my name is Isa Wirz, I-s-a, last name, W-i-r-z. And I am  
6 talking for myself and for this little one. Her name is  
7 Karina. And I'm talking not just for her, but this island has  
8 many, many kids like her, and we just don't want to see another  
9 oil spill like in '89 and have all the kids and all the fishing  
10 families having to go through the same traumatic experience.

11 And I want -- I really enjoy the environment and the  
12 nature here. That's why we moved from crowded, polluted Europe  
13 to Alaska. And I want her to enjoy the same thing that I can  
14 enjoy now, and all the other kids, too, just a clean environ-  
15 ment. And if she ever wants to make a living with fishing, who  
16 knows? I want her to have the chance, too, like I had the  
17 chance when I got here. Thank you.

18 MR. BROCK: Thank you.

19 (Applause)

20 MR. BROCK: Anyone else?

21 (No audible response)

22 MR. BROCK: It's 8:25 -- well, about 8:28. If  
23 there's nobody else -- I don't want to cut anybody off that  
24 might want to testify. But if not, we'll close the hearing. I  
25 want to extend my appreciation to all of you that came. I

1 really enjoy seeing the youth of the community getting involved  
2 in an important issue like this. I think that's very impor-  
3 tant, and that shows that they're taking an interest in what's  
4 going on. And I really -- I think that's great.

5 And I do want you to know that your comments will be  
6 read by every individual that helped prepare this EIS. We --  
7 the next step, just to clarify where we go from here, we -- the  
8 decision has not been made whether we'll even prepare a final  
9 EIS, but if the decision is made to prepare the final EIS, we  
10 will start on that after the comments are all in on April the  
11 19th. We will look at all the people that were involved in  
12 writing the EIS. We'll look at all the comments. We will  
13 either change the EIS appropriately, or we will respond to the  
14 comment as to what happened to that comment.

15 That will come out in the final EIS, which is due out  
16 about a year from now. And then the decision, which is a  
17 Secretarial decision, the Secretary of the Interior, to deter-  
18 mine whether or not he will proceed with the sale, will be  
19 made, and the sale is scheduled about the early summer 1996.  
20 But let me emphasize that no decision has been made at this  
21 point. The first decision even whether to prepare a final EIS  
22 has not been made, and it's definitely that there's -- no  
23 decision has been made on the sale itself.

24 So I want to extend our appreciation and thank you  
25 for coming, and you have been heard. We are closed.

1 (Whereupon, the proceedings in the above-entitled  
2 matter were concluded at 8:30 p.m.)  
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C E R T I F I C A T I O N

STATE OF ALASKA )  
 ) ss.  
THIRD JUDICIAL DISTRICT )  
\_\_\_\_\_ )

I, **CINDY S. CARL**, do hereby certify:

(1) That the foregoing pages contain a full, true, and correct transcript of proceedings in the above-entitled matter, transcribed by me, or at my direction and supervision, to the best of my knowledge and ability.

(2) That I have been certified for transcript services by the United States Courts.

(3) That I was certified for transcript services by the Alaska Court System prior to January 1, 1993.

SIGNED AND CERTIFIED:

BY: Cindy S. Carl  
Cindy S. Carl  
Certified Court Reporter

DATE: 3/26/95

